

COMMITTEE ON TECHNOLOGY

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CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TECHNOLOGY

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August 10, 2022
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HELD AT: COUNCIL CHAMBERS - CITY HALL

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CHAIRPERSON

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1 COMMITTEE ON TECHNOLOGY

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2 SERGEANT AT ARMS 1: Test, test, test. Test, is a
3 test on the Committee on Technology. Today's date
4 August 10, 2022. This is being recorded by
5 (INAUDIBLE) Bradley in the Chambers.

6 SERGEANT AT ARMS 2: Chambers and if our hosts can
7 please start the webinar virtually. Hold on one
8 second.

9 Microphone test for close captions, WNYC
10 microphone test for closed captioning.

11 Alright. And once again, will our host please
12 start the webinar virtually?

13 And good afternoon, everyone, and welcome to
14 today's hybrid New York City Council hearing for the
15 Committee on Technology. To minimize disruptions
16 while speaking, please place all electronic devices
17 to vibrate or silent mode. If you'd like to submit
18 testimony, please send via email to
19 testimony@council.nyc.gov. again,
20 testimony@council.nyc.gov.

21 Thank you for your cooperation. Chair Gutiérrez,
22 we are ready to begin.

23 CHAIRPERSON GUTIERREZ: All right.

24 [GAVEL]

25

2 CHAIRPERSON GUTIERREZ: Good afternoon. I am
3 Council Member Jennifer Gutiérrez, the Chair of the
4 Committee on Technology. Thank you all for joining us
5 for this incredibly important hearing on the failure
6 of New York City's technological response under
7 critical demand.

8 While the highly publicized failures in the roll
9 out of the Monkeypox vaccine were the initial
10 inspiration for this hearing, we are also here today
11 to examine how the City continues to fall short in
12 its technological responses to the pressing needs of
13 the public. Understanding the City's past and present
14 failings is essential for preparing for future
15 scenarios in which the City will undoubtedly be
16 called upon to respond to public needs.

17 From 1900 to 1940, New York City had three
18 separate independent subway systems. In 1940, New
19 York City purchased the two privately owned subway
20 lines with the intention of integrating them.
21 Unfortunately, in addition to the inherent confusion
22 of disconnect tunnels and elevated tracks, New
23 Yorkers were also faced with three very different
24 design elements from signs to maps. As one can
25 imagine, the user experience of navigating multiple

2 transit systems was very confusing. As a result, by
3 the 1960s, the City had invested in an overhaul of
4 the subway maps, color coding schemes, and even font
5 type to simplify the transit experience.

6 The modernization of the subway is an important
7 reminder that the City can and should take on these
8 large scale design improvements to make everyday
9 interactions easier and better for New Yorkers. We
10 are no longer subject to three different types of
11 subway signage, so why should we accept more than 50
12 different website designs and functionalities?

13 As our City continues to invest millions of
14 dollars in the digital transformation of our programs
15 and services, we cannot allow the mistakes of our
16 past to appear again in our future. New Yorkers
17 deserve better. New Yorkers regularly interact with
18 the City and its agencies through websites and mobile
19 apps. They have become one of the primary ways New
20 Yorkers access City services.

21 The COVID-19 pandemic accelerated a digital
22 transition that was already happening and
23 demonstrated some of the City's tech weaknesses.

24 Buggy software, crashing websites, glitching
25 applications, and poor community outreach are some of

2 the issues that have plagued our City's digital
3 service delivery.

4 However, the COVID-19 pandemic also brought with
5 it unprecedented demand for online services. Students
6 and teachers have experienced broken websites and
7 interrupted services through their ordeals in remote
8 learning, as well as an inability to connect to
9 critical health screenings when they were sent back
10 in person.

11 New Yorkers were unable to access and apply for
12 support like SNAP benefits and cash assistance.
13 Housing Connect was down for multiple days this
14 month. These are just a few examples of how the City
15 has failed to meet the technological needs of the
16 public.

17 Mayor Adams is keenly aware of this need. One of
18 the first things he did was to make a significant
19 investment in the rebranding and reorganization in
20 the Department of Information Technology and
21 Telecommunications to it to become the Office of
22 Technology and Innovation. But this wasn't just a
23 superficial redesign. The Mayor included a mandate
24 that OTI would serve as the City's leader and
25 clearing house for technology projects.

2 Unfortunately, regardless of that investment, we
3 still see significant issues in what should be
4 straight forward service delivery like the Monkey
5 packs, Monkeypox vaccine portal which had many few
6 vaccinations sites and permutations than the COVID
7 vaccine portal for which we already had an existing
8 platform.

9 This hearing will look to answer, among other
10 questions, where is the disconnect between OTI and
11 the City's technology services delivery. What is OTI
12 doing to ensure better responses to our needs going
13 forward?

14 For each agency providing programs, services and
15 resources to New Yorkers, there are unique
16 application processes, visual designs, accessibility
17 and security protocols. We are requiring New Yorkers
18 to be incredibly tech, tech savvy to navigate a new
19 process each time they need assistance. And those
20 that need the most assistance are often those that
21 simply don't have the luxury of English proficiency,
22 time, or even an easily accessible or stable internet
23 connection. It's 2022. We can and must do better.

24 We will hear testimony from the administration,
25 experts, and community advocates on the current state

2 of the City's digital services, its past
3 shortcomings, and what steps can be taken to improve
4 the City's online tools both immediately and in the
5 future.

6 Is Bob on the call? I'd also like to recognize
7 one of our Tech Committee, uh, Members who is present
8 today, uh, remotely, and that's Council Member Bob
9 Holden. Um, before I pass it over to our Council, I
10 also just want to say on the record, Happy Ecuadorian
11 Independence Day to all my constituents. Um, I wish
12 you a wonderful and beautiful celebration today and
13 this weekend.

14 Um, we will hear testimony today from
15 Commissioner Fraser from the Office of Technology and
16 Innovation, OTI, and Doctor Easterling from
17 Department, uh, DOHMH will be available for questions
18 and answers. Yes? Okay.

19 Uh, I will now turn it over to our Committee
20 Counsel, Irene Byhovsky to administer the Oath.

21 COMMITTEE COUNSEL BYHOVSKY: Thank you very much,
22 Council member Gutiérrez and good afternoon,
23 everyone. Commissioner Fraser and Doctor Easterling
24 please raise your right hands. Do you affirm to tell
25 the truth, the whole truth, and nothing but the

2 truth, and answer honestly to Council member
3 questions?

4 COMMISSIONER FRASER: I do.

5 FIRST DEPUTY COMMISSIONER DR. EASTERLING: I do.

6 COMMITTEE COUNSEL BYHOVSKY: Thank you.

7 Commissioner Fraser, you may begin your testimony.

8 COMMISSIONER FRASER: Good afternoon, Chair
9 Gutiérrez, and Members of the Council's Committee on
10 Technology. My name is Matthew Fraser, and I'm the
11 Chief Technology Officer of the City of New York, and
12 Head of the Office of Tech and Innovation.

13 Thank you for the opportunity to testify on OTI's
14 leadership role with respect to technology
15 infrastructure across the City. Here with me today is
16 Department of Health and Mental Hygiene's First
17 Deputy Commissioner and Chief Equity Officer, Dr.
18 Tory, Torian Easterling.

19 As you may be aware, Mayor Adams created OTI by
20 signing Executive Order 3 this past January. The
21 order recognizes the important role of, that
22 technology plays across all government services, and
23 combined the City's existing technology related
24 offices under my leadership. It is marked as an
25 important shift in how the City of New York

2 approaches technology and innovation. Instead of
3 disparate offices operating in silos, OTI now
4 represents a coordinated City-wide approach, under a
5 single leader, with a focused mission to deliver
6 trusted, quality services to City residents.

7 The legacy offices that now report to me are as
8 follows: the Department of Information Technology and
9 Telecommunications, the Mayor's Office of the Chief
10 Technology Officer, the Mayor's Office of Information
11 Privacy, the Mayor's Office of Data and Analytics,
12 New York City's Cyber Command, and the 311 Customer
13 Service Center.

14 It is my understanding that the Committee would
15 like to dive into what this coordinated approach
16 consists of, and how the administrative changes
17 impact critical deployment of technological needs to
18 serve New Yorkers.

19 As you can imagine, the technology underpinning
20 the services that the City provides is sprawling, is
21 a sprawling apparatus ranging from critical
22 infrastructure such as 911 systems to websites and
23 applications that New Yorkers rely on every single
24 day including NYC.gov, the ACCESS NYC benefits portal
25 and the VAX4NYC appointment scheduler. While largely

2 invisible to the average New Yorker, OTI drives
3 efficient delivery of these services 24 by seven.

4 The key to our approach is, is that it is
5 collaborative. OTI does not make unilateral decisions
6 about agencies' technology deployments. Each agency
7 has a Chief Information Officer whose expertise is
8 integral to advancing the agency's mission. Where OTI
9 comes in, and where our approach is different than it
10 had been under previous leadership, is that we're
11 moving towards an overarching goal of accelerating
12 and simplifying the delivery of City services,
13 alongside a full-scale modernization of supporting
14 technologies.

15 One way we're achieving this goal is by building
16 out high quality digital services throughout our
17 Strategic Initiatives Division. The team focuses on
18 improving our user experience practices by making
19 tools that are not only technically resilient and
20 secure, but also serve the purpose of that the end
21 users need.

22 In addition to focusing on these needs, we
23 recognize when in-house talent should be used and
24 when vendors need to be brought in. When new agency
25 requirements are identified, we'll create a roadmap

2 for decisions on building versus buying, how to
3 procure the tools successfully, and develop standards
4 for future success and implementation.

5 As an example, this approach will be implemented
6 with the first significant technology procurements
7 used in support of the MyCity portal, a single, one
8 stop shop platform with a common digital experience
9 for accessing all City services and benefits. The
10 MyCity portal will create a new standard for enabling
11 City residents, businesses, and visitors, to quickly
12 access the services they need.

13 On the back end, we strive to enable agencies to
14 quickly and cost effectively design and deploy
15 solutions on the, on the platform. This will be built
16 out and applied in, incrementally with a phased plan
17 for designing, developing, and launching additional
18 individual services. As previously announced, the
19 first phase will include a childcare enrollment
20 portal, detailed in the mayor's blueprint for
21 childcare and early, early childhood education.

22 Beyond MyCity, we're also moving toward
23 streamlined and rationalized approaches to programs
24 across the technology landscape by working closely
25 with the agency CIOs to understand their IT needs

2 including active IT projects or those in the
3 pipeline. This effort will help expedite future
4 funding requests and cyber budget reviews and will
5 ultimately identify areas where we can use our
6 combined pulled buying power to lower costs.

7 While we work towards these goals, the City must
8 keep, the City must keep running, and we must stay
9 agile to meet the urgent needs as they arise. The
10 City's been through an unprecedented health crisis
11 over the past several years. OTI and its predecessor
12 offices have headed the call to deploy technology in
13 support of the Department of Health and Mental
14 Hygiene's efforts to respond to these crises.

15 To emphasize that, the point I made earlier, OTI
16 does not make decisions in a vacuum, and we
17 collaborate with agencies on specific requirements
18 they need to deploy a tool that achieves their
19 specific purpose. This remains true in the case of
20 adding functionality to Vax4NYC to allow the public
21 to schedule Monkeypox vaccine appointments.

22 When DO, when DOHMH approached OTI in late June
23 to build out this functionality, we got to work
24 immediately, and we were able to support the release
25 of 8,200 appointments by July 15th. This allowed OTI

2 to engage vendors to expand functionality to the
3 VaxNYC platform according to the requirements from
4 the Department of Health and Mental Hygiene. Because
5 we were able to do an adequate amount of testing, the
6 site has not run into significant problems since it
7 was deployed.

8 We have, we have since supported several more
9 tranches of appointment releases. On July 22nd, over
10 1,200, uh, over 12,500 appointments released to the
11 site were made within 10 minutes of release. On
12 August 4th, an additional 20,000 appointments were
13 taken from the portal within an hour. Note that these
14 numbers not only reflect the appointments made via
15 the Vax4NYC website, not through, not through the
16 call center or through the community-based
17 organizations. From a tech, from a technical
18 perspective, the deployment of the Monkeypox
19 appointment functionality in Vax4NYC has been a
20 success.

21 We will continue to support DOHMH in their
22 efforts as the public health emergency evolves. With
23 that, Doctor Easterling, I, I now, Doctor Easterling
24 and I will now take Council Member questions.

2 CHAIRPERSON GUTIERREZ: Thank you so much. Um, so,
3 you mentioned a little bit in your opening statement,
4 uh, Commissioner Fraser, a little bit about, um, OTI.
5 Um, your Office was created by Executive Order number
6 3 in January, right?

7 COMMISSIONER FRASER: That is correct.

8 CHAIRPERSON GUTTIÉREZ: Um, so, my understanding
9 of that Executive Order is that OTI is responsible
10 for providing reliable and cost effective data
11 processing and communication services to agencies,
12 technical assistance, and support with procuring and
13 managing hardware and software.

14 COMMISSIONER FRASER: Also correct.

15 CHAIRPERSON GUTIERREZ: Okay. Uh, what has been
16 communicated to our agencies from this administration
17 regarding this Executive Order and about OTI as the
18 default technology services provider?

19 COMMISSIONER FRASER: So, from a communications
20 perspective, after executing the Executive Order we
21 had a, a briefing for all agency heads, just to let
22 them know, and reestablish what the Office of Tech
23 Innovation is and what it does.

24 In addition to that, we did a survey of every
25 agency where we requested feedback on all technology

2 programs that they have running of significant size
3 and scale so we could begin to do an assessment to
4 see areas where we could consolidate, save costs, and
5 areas where we need program management and quality
6 assurance support.

7 Uh, in addition to that, uh, Executive Order 3
8 was one order, but we also had Executive Order 10
9 which reestablished New York City Cyber Command under
10 OTI, and also expanded the, the responsibility of
11 Cyber, not just from a, the tech perspective, but
12 also to assess more proactively.

13 With that, we've reached out to every agency
14 within the City to request a cyber liaison so that we
15 can get real time information about cyber threats as
16 they arise and, and respond to those quicker than we,
17 we had historically. So, in terms of communication
18 beyond the, beyond the City-wide briefing for the
19 agency heads, we've had one on one with our peer
20 agencies to sort of pull in, um, their disparate
21 needs, like what do they need specifically for their,
22 their operations. And we're working with them every
23 day on any need that arises.

24 CHAIRPERSON GUTIERREZ: Thank you. And so, at this
25 point, um, you have met with every single agency.

2 You've, they understand what OTI is and the, the
3 level of support that they could get potentially.

4 COMMISSIONER FRASER: Yeah, so through the
5 Executive Order and the first briefing that we had,
6 and this is, this is one of, this is one way that we
7 wanted to make sure that we reached everyone as soon
8 as possible, the first briefing was with every agency
9 head, every Deputy Mayor, and every senior leader
10 across the City so that they knew what it was. So, by
11 virtue of the first meeting, we did meet with every
12 agency head.

13 CHAIRPERSON GUTIERREZ: Do you have dedicated
14 technology specialists to handle specific agency
15 needs?

16 COMMISSIONER FRASER: Yeah, so one of the things
17 that, and this is one of the reasons why the Office
18 of Tech and Innovation was, was created, so, when you
19 look at an agency need, you have to look at it
20 through more than the lens of just technology.
21 There's technology, there's customer service, there's
22 privacy, there's security. Now, some of these things
23 have a technology nexus but it's not exclusively
24 tech.

2 So, what we did and one of the first things they
3 did as, as the Office stood up, was we launched our
4 Strategic Initiatives Division. And within Strategic
5 Initiatives, we built out a, an agency relationship
6 management function, and we're currently staffing
7 that function to ensure that we have domain
8 expertise, not just in technology, but in the busiest
9 areas that, that that technology supports.

10 In addition to that, we're also bringing project
11 management and quality assurance vendors on board to
12 help govern our large-scale projects that we have
13 running in these disparate areas.

14 CHAIRPERSON GUTIERREZ: You're bringing, I'm
15 sorry, um, vendors, uh, to, to fulfill this?

16 COMMISSIONER FRASER: Yeah, so, in addition to
17 City staff, we, it's a traditional practice when we
18 look at large scale systems integration contracts,
19 those that are, exceed \$2 million or so to ensure
20 that we have both in-house support and outside
21 support to ensure that those contracts stay on track
22 and on budget.

23 CHAIRPERSON GUTIERREZ: Um, do you have a, a sense
24 of when your, the Strategic Initiative Department
25 will be completely staffed up?

2 COMMISSIONER FRASER: Uh, so, uh, just like any
3 other agency, we, we are in the process of hiring.
4 And, um, it's, it's hard to forecast specifically
5 when that'd be staffed up. In its current function,
6 we are supporting all the needs of the agencies as
7 they arrive. So, all, on all of our large-scale
8 projects as of January 1, that's moved forward, the
9 Strategic Initiatives group has reviewed the
10 financial backing of the projects, the scope, the
11 mission, and making sure that from a resources
12 perspective they are coordinated and aligned.

13 CHAIRPERSON GUTIERREZ: Yeah. How many, can you,
14 do you know how many, um, positions you have within
15 the Strategic Initiatives Unit?

16 COMMISSIONER FRASER: So, Strategic Initiatives
17 makes up our customer services. It also makes up our
18 program management, and, in addition to that, our
19 user-centric app design. So, in that team, it, there
20 is somewhere north of 100 people.

21 CHAIRPERSON GUTIERREZ: Oh, wow. Okay. Um, so the
22 reason I wanted to just clarify the, the conversation
23 about vendors is because I'm curious what is the role
24 of, of OTI and what is your level of involvement, as
25 Commissioner in vendor selection processes?

2 COMMISSIONER FRASER: Yeah, so vendor selection
3 and procurement selection, um, that, that's something
4 that there are very robust processes in the City that
5 govern that. So, we have City-wide contracts, we have
6 state-wide contracts and federal contracts that our
7 agencies leverage. And then, from there, they submit
8 proposals. Depending on who responds, they have
9 evaluation committees to determine who the best
10 person is to deliver that service.

11 Now, where the Office of Tech and Innovation
12 comes in is when a contract gets near award, we
13 validate and ensure that the people that are coming
14 in to do the work actually are qualified and capable
15 of doing that work. And one of the things that's
16 unique about this, this current instantiation of what
17 technology looks like in the City, is that we now
18 have a holistic view, not just into the financial
19 aspect, but with the relationships that we have with
20 the agency heads, we understand the business aspect
21 of it as well.

22 So, when it comes to contract execution, although
23 many contracts may be, may be facilitated by master
24 contracts that OTI holds, it's not exclusive to those

2 contracts, so when new ones arise, we make sure that
3 we actually review those.

4 One of the other things that I'll point out, is
5 that as we now have the City's tech authority paired
6 with the City's, with the City's cyber authority and
7 the City's privacy authority, we work on basic terms
8 and conditions, so when contracts get executed, there
9 are defined penalties. There are also defined, uh,
10 response criteria when something happens. Right.
11 That, that, that's something that was loose prior to
12 this administration that we've now put in place.

13 CHAIRPERSON GUTIERREZ: Thank you. Um, so you
14 mentioned that when a contract is near award, then
15 OTI comes in to vet. Is that correct?

16 COMMISSIONER FRASER: Yeah, near award, throughout
17 the process, depending on where, so, traditionally
18 now, and this is where we play a game of catchup. So,
19 OTI was established, at this point, seven months ago,
20 right. And it's processed much like human
21 development, crawl, walk, run, jump, right.

22 CHAIRPERSON GUTIERREZ: There is it, yeah.

23 COMMISSIONER FRASER: Yeah, so, uh, we are still
24 in our infancy stage and crawling. And in order to
25 catch, you have to imagine for the 80, over 80

2 agencies that exist within the City and the amount of
3 programs that we have running through, we had to put
4 a filter in some place so where we could catch
5 things. And right now, we had to put a filter on
6 contracts prior to execution, so that if there's
7 something that's off the rails, we can stop it and
8 realign to something that makes more sense.

9 Going forward, and this is for contracts before
10 they initially, before they even go out for
11 solicitation and where they're at the funding request
12 stage, we've now inserted ourselves into the process
13 so that we can look at the scope of what the project
14 is, look at in in comparison to other projects that
15 are running across the City of a similar size, scale,
16 and focus, and, and mission, and seeing how we can
17 combine those efforts, versus finding ourselves in a
18 condition where you have 10 agencies working on a
19 system that achieves the same business function.

20 CHAIRPERSON GUTIERREZ: Got it. Um, and it sound
21 like obviously you mentioned, it's still in its
22 infancy stage. I'm curious if there's any level of
23 like benchmarks that you can share of what, um, a
24 vetting process would like, and like what a flag for

2 you in that process would like for a potential
3 vendor?

4 COMMISSIONER FRASER: So, there, there's a number
5 of things. So, it really depends on the scope of the
6 technology that we're looking at. So, if we're
7 looking at cloud-based technologies, we look at
8 terms, conditions, how do they safeguard their data,
9 right, how, who's, who's cleared to access the data.
10 We look at the mission of the agency and the
11 sensitivity of the data that they, they provide to
12 those systems, and we ensure that those policies
13 align and the vendor they selected is capable of
14 providing that level of security and resiliency.

15 In addition to that, we also look at clearing
16 processes, right, and development processes. How
17 does, what's the proposed approach to build a system?
18 The days of building large, monolithic technology
19 systems that takes five years, and costs millions of
20 dollars, like that, that kind of approach, went, it
21 went the way, at least, the, the way of the dodo
22 bird, right. So, what we're trying to do now is
23 realign approaches so that we can get measurable
24 delivery faster, so if something is not aligned to

2 what the people expect, we can adjust course and not
3 waiting years to figure that out.

4 CHAIRPERSON GUTIERREZ: Did OTI validate the
5 vendor that DOHMH selected for the Monkeypox vaccine
6 roll out?

7 COMMISSIONER FRASER: So, the vendors for the
8 Monkeypox vaccine roll out was a vendor that DOHMH
9 used, uh, in this space and that predates this
10 administration. Uh, so, OTI's specific role in, in
11 vetting that, uh, OTI didn't exist when those
12 contracts were stood up, right, so we, we, we, we
13 came forward in January, and these contracts have
14 been in place for years.

15 Now, the scope of work that was provided here,
16 uh, as, as we got to the point where the vaccine
17 deployment became imminent, we collaborated with
18 DOHMH, we got requirements, and we built on a
19 parallel track the functionality into Vax4NYC.

20 CHAIRPERSON GUTIERREZ: So, I, I can understand
21 the, the relationship of the, the contracts with,
22 with existing contracts under a previous
23 administration. But during the Monkeypox roll out,
24 which was I would also say is in an infancy stage, a

2 couple months, OTI did not play a role in vetting,
3 even just the maintenance of that vendor?

4 COMMISSIONER FRASER: The maintenance, can you
5 more be specific?

6 CHAIRPERSON GUTIERREZ: Yeah, even just a, OTI
7 didn't vet. Basically, I'm trying to understand if
8 OTI had weighed in, um, had any, um, input in saying
9 this is an existing vendor, this, they make sense for
10 this Monkeypox vaccination roll out?

11 COMMISSIONER FRASER: Yeah. So, I, I, I, I'd say
12 that OTI is the City's tech authority and not the
13 City's medical authority. So, when it comes to
14 leveraging partners in the medical space, uh, this
15 vendor had been previously cleared by, by another
16 administration, and our look at this is that it's a
17 vendor that's done similar work in the City, uh, for
18 this purpose, and unfortunately, it did not work out
19 this time.

20 Uh, what we've done, going forward, is we've put
21 safeguards in place so if we were to see something
22 like this again, and we have, we see something where
23 we're deploying a system that requires significant,
24 um, significant public use, we will have performance
25 testing in place. We will have clearing processes in

2 place to ensure that when it goes out, the public
3 gets the same level of quality that it can expect
4 from other tools it depends on.

5 CHAIRPERSON GUTIERREZ: Are there other examples
6 of safeguards? Are there other examples? You
7 mentioned testing, but are there other examples of
8 safeguards that you're implementing from this
9 experience?

10 COMMISSIONER FRASER: Yeah, so, the, the safeguards
11 come from both a contractual perspective. It's like
12 if we're going out and looking for new contracts and
13 new businesses, right, uh, in those cases, those
14 contracts would appear before the Office of Tech and
15 Innovation before execution and then we can say, "All
16 right, what function is this seeking to serve, and do
17 we have someone else that does this? And is, is the
18 vendor selected to do this, actually capable of doing
19 it?" So, from a vendor perspective, we have the
20 capability to review, assess, and determine if we
21 want to move forward in that direction or not.

22 Testing, and that's both performance testing and
23 regression testing, you want to make sure that the
24 systems you put out actually meet the scale that you
25 expect, and that in the process of delivering new

2 functionality, that something doesn't break in that
3 process, and that, that people are already dependent
4 on. Which is why Vax4NYC has been a big success.
5 Anytime we touch one of those systems, we take in, a,
6 a significant amount of time, not just to test the
7 function that we put out, but we want to make sure
8 that we don't break anything else that people are
9 already used to there. So, testing, contracts, and
10 then also, uh, vendor selection.

11 And then one of the things that I mentioned is
12 part of having the City's cyber and privacy
13 authority, making sure that we have terms that are
14 built into the contracts, that, that, that define how
15 certain engagements work.

16 CHAIRPERSON GUTIERREZ: And, um, you said terms
17 now. Previously you said penalties. Um, are, are you
18 using that interchangeably?

19 COMMISSIONER FRASER: No, so terms, terms of a
20 contract can, will dictate if there are penalties
21 involved in the contract for failing to meet the
22 terms of the contract.

23 CHAIRPERSON GUTIERREZ: Okay. I think, so and, and
24 this is something that you said is, um, is new under,
25 under your leadership and under OTI, correct?

2 COMMISSIONER FRASER: Yeah, so, there was a
3 scattershot approach to this before. So, there was a
4 cloud review process, and the City had a cloud rider,
5 right. A cloud rider basically means that if I
6 execute a contract with a cloud provider that there
7 are terms that they must agree to, to do business
8 with the City of New York. And when I say it's a
9 scattershot approach, it wasn't universally applied
10 to any one of the contracts the City put forward.

11 Going forward, if it's a tech contract and it has
12 something to do with a cloud provider, that will be
13 put forward as part of it. In addition to our cloud
14 rider, we also have cyber riders and privacy riders
15 to ensure that the data the public trusts the City
16 with, that the vendors that we contract with also
17 take that responsibility seriously and then from a
18 cyber perspective, they meet the City's minimum need,
19 the minimum threshold from a cyber capability
20 perspective.

21 CHAIRPERSON GUTIERREZ: Will there be, so my
22 understanding is that the potential for, for
23 penalties, kind of always existed, but they weren't
24 universally, they weren't kind of, um, approached in
25 the same way contract to contract.

2 COMMISSIONER FRASER: That's correct.

3 CHAIRPERSON GUTIERREZ: Um, any of contracts that
4 you're inheriting now under OTI, will that change
5 the, the way that the contract is honored, or?

6 COMMISSIONER FRASER: So, the, the problem is once
7 the contract is executed, um, you have to either
8 figure out if we have terms where we can break that
9 contract, or we have to wait till the next term of
10 renegotiation to insert the terms that we need, so.

11 CHAIRPERSON GUTIERREZ: But if they're already
12 exist, it sounds to me that they kind of existed
13 already in the contract, they just weren't really
14 enforced necessarily?

15 COMMISSIONER FRASER: No, what I, what I said was
16 it's a scattershot approach, basically meaning that
17 as a contract was executed, not every, not every
18 agency or not every entity chose to include the, the
19 riders into those contracts. So, if they weren't
20 included, we can't retroactively go back and say,
21 "All right, now we want you to include it," without
22 reestablishing the contract.

23 CHAIRPERSON GUTIERREZ: I understand, uh, thank
24 you. So, about websites, um, do agencies, at this
25 point, is the idea that agencies create their own

2 websites and applications in-house? Or do they, they
3 hire a vendor to do that work?

4 COMMISSIONER FRASER: It, it's an amalgamation
5 based on the agency's capability. Right, so, if
6 agencies have internal application development skill
7 sets, then they, they use their teams. Now, if they
8 have, um, if they don't, then they contract it out.

9 CHAIRPERSON GUTIERREZ: What is OTI's involvement
10 in that?

11 COMMISSIONER FRASER: So, historically, and, uh,
12 if you look at what the legacy (INAUDIBLE)
13 involvement was, when it came to doing security
14 checks of the websites, and, and actually validating
15 that they were, um, safe for the public to use,
16 that's where that extent ended, right. It's like,
17 we'll test it. We'll make sure it works. And then
18 from there, we'll move forward.

19 Uh, from the Office of Tech and Innovation, we're
20 taking a more holistic approach at how we manage our
21 public image. So, needless to say, when you look at
22 things like nyc.gov and some of the legacy websites
23 that we have, the websites coalesce more around
24 agency identity and less around services. And, as the
25 Mayor said publicly, both on the campaign trail and

2 after assuming office, that the public deserves
3 better. And that's what we're working on, better,
4 which is why MyCity is one of the first efforts that
5 we're doing.

6 Uh, MyCity from a services perspective, it,
7 although childcare is one of the first services that
8 we will bring in, childcare is a service that's
9 rendered by three separate agencies which has three
10 separate experiences today. So, what we're trying to
11 do as part of the, the overall MyCity effort and our
12 nyc.gov rebuild, rebrand effort, is to create harmony
13 behind what we're, the messages that we're putting
14 out, the look and feel of the services as people
15 navigate, and also simplifying access so that you
16 don't have to go to 10 places to get one thing.

17 CHAIRPERSON GUTIERREZ: Who, we're going to get
18 into MyCity in a second. Um, who generally?

19 COMMISSIONER FRASER: I'm excited.

20 CHAIRPERSON GUTIERREZ: Sorry?

21 COMMISSIONER FRASER: I said I'm excited.

22 CHAIRPERSON GUTIERREZ: Oh, okay. Um, who is
23 responsible for the maintenance and security of a
24 website?

25

2 COMMISSIONER FRASER: For the maintenance and
3 security?

4 CHAIRPERSON GUTIERREZ: Yeah, yeah. For, for any
5 of the agency websites.

6 COMMISSIONER FRASER: Well, it, it really depends.
7 So, it depends on the constructs. So, if the agency's
8 website is hosted by OTI, meaning it's sitting on OTI
9 infrastructure and it's sitting, leveraging OTI
10 resources to deploy, then OTI is responsible, right.
11 If an agency has contracted that resource out, and
12 they have a third party that's providing that
13 resource, that, that website, then it could be a mix
14 of the agency IT shop or the outside vendor,
15 depending on the level of contract that's in place.

16 So, there isn't a, a, uh, universally, there's,
17 there is nothing that's universally true for that in
18 terms of who's responsible, um, with the exception of
19 if it's technology in the City of New York, I'm
20 responsible.

21 CHAIRPERSON GUTIERREZ: Right. Is there, under OTI
22 is there a plan to kind of fold in that, um,
23 responsibility of a uniform kind of system for agency
24 websites under OTI? Or, in those instances where
25

2 agencies are already working with a vendor, is that
3 kind of at every agency's discretion?

4 COMMISSIONER FRASER: So, I, I think it depends on
5 where you look. So, by and large, most of the City's
6 web footprint, especially the nyc.gov stuff has
7 historically been hosted by (INAUDIBLE). So that,
8 that, that's, that's, a mature process that, that's
9 in place and that the City is used to using. Uh, as
10 we go forward, in terms of harmonizing look, feel,
11 and design style and making sure that we have user
12 centric testing, that's where OTI's role will come
13 in. But for our agencies, those that have the
14 capability, this is, this is, this is more of an
15 effort of collaboration.

16 From my vantage point, it doesn't matter what
17 agency you work in, as long as you have a nexus
18 around technology, you are part of the Office of Tech
19 and Innovation.

20 CHAIRPERSON GUTIERREZ: Right, right, right. And
21 are there, have there been instances, um, under this
22 new Office, where agencies are like proactively
23 reaching out and saying like they'd like a little bit
24 more collaboration from OTI?

2 COMMISSIONER FRASER: There are certainly a large,
3 large vat of that. Uh, it's like whether that's
4 design leadership, whether that's thought leadership,
5 there's a lot of proactive engagement across the
6 agency community.

7 CHAIRPERSON GUTIERREZ: Do you have a sense of
8 what the average cost to create a website is?

9 COMMISSIONER FRASER: That, that, that, that would
10 scale a wide range depending on the type of website.
11 I mean, I'm sure we can have the team pull together
12 some, some measures and get back to you depending on
13 size and scale. But certainly, a website that's,
14 that's for advertisement or putting out information
15 versus a services portal, uh, the cost between those
16 two are wildly different.

17 CHAIRPERSON GUTIERREZ: Right.

18 COMMISSIONER FRASER: And then based on the
19 projected user community, and like that, that could
20 also be an impact. But.

21 CHAIRPERSON GUTIERREZ: So.

22 COMMISSIONER FRASER: We.

23 CHAIRPERSON GUTIERREZ: Can you, oh, sorry go
24 ahead.

25 COMMISSIONER FRASER: So, please go ahead.

2 CHAIRPERSON GUTIERREZ: No, I, um, do you, what is
3 the projected cost for the childcare portion of
4 MyCity?

5 COMMISSIONER FRASER: The projected cost for the
6 childcare. So, we're currently in the, in the scoping
7 phase and we're using internal talent to build,
8 right, at the moment. So, in terms of the outsource
9 cost and what we expect the vendor component is to
10 be, we have not tripped across that as yet. We're
11 keeping it minimal by using internal talent to build.

12 CHAIRPERSON GUTIERREZ: Okay. So, you don't have
13 that number yet?

14 COMMISSIONER FRASER: No. So, as we're not using
15 vendor support and we're using internal support, we'd
16 have to take the factor of what the human cost of
17 our, our employees are and then get that back to you.

18 CHAIRPERSON FRASER: Um, Commissioner, when web,
19 when agencies' websites are down, do they, whether
20 are not they are using a vendor, do they communicate
21 with OTI to let the agency know?

22 COMMISSIONER FRASER: They do. So, the City-wide
23 service desk, uh, maintains a, um, availability
24 portal of what services are up or down. And for many
25 agencies, they leverage the City-wide service desk

2 for their internal, um, their internal help desk and,
3 and management functions. So, in those cases, uh, OTI
4 is notified.

5 CHAIRPERSON GUTIERREZ: Okay. Um, what are some of
6 the common website or app, or mobile app errors that
7 you see? Or that, that your Office has, um, collected
8 in the past, you know, seven months?

9 COMMISSIONER FRASER: So, the common, can you
10 just, a little bit?

11 CHAIRPERSON GUTIERREZ: Yeah. So, like what are
12 some of the. So, HPD's Housing Connect, or excuse me,
13 Housing Connect was down, um, not too long ago,
14 right? So, in that instance, based on what you're
15 saying, I'm assuming that through the grapevine, you
16 and your team will have been communicated that the
17 website is down. Um, I'm not personally aware of what
18 happened that day, um, but I'm curious, in those
19 instances where you are contacted, what are some of
20 those like issues, right? Um, what are some of the
21 reasons that a website that contacts you, is down?
22 What are some of the common, is there a common
23 thread, or is every agency down for a completely
24 unique reason?

2 COMMISSIONER FRASER: I mean, when you look across
3 the technology landscape, it can be, it can be
4 anything from high availability failing, you have a
5 network outage within the facility that impacts, that
6 impacts one of the web front ends. It could be
7 anything like, uh, you know, infrastructure failure.
8 I mean, depending on, depending on the age and the
9 deployment type, there are a number of factors that
10 provide that. I can't say that there's a common
11 thread that afflicts, um, every website.

12 CHAIRPERSON GUTIERREZ: Okay.

13 COMMISSIONER FRASER: Because if there were, we
14 would just address that. But a lot of what we deal
15 with is managing legacy infrastructure, right.
16 Infrastructure that's been in place, services that's
17 been running for, for years if not decades and, um,
18 getting to the point where we, we, we need to refresh
19 that stuff.

20 CHAIRPERSON GUTIERREZ: Is there a, you may have
21 mentioned this, but is there a City-wide, uh, help
22 desk for tech support, um?

23 COMMISSIONER FRASER: There is.

24 CHAIRPERSON GUTIERREZ: There is. Um, is there a,
25 and is that just for agencies or is there a hotline

2 or a system where New Yorkers, um, can use that same
3 number to report issues as they're experiencing with
4 a website or a mobile app?

5 COMMISSIONER FRASER: So, for the most part, um,
6 that, the City-wide service desk is an internal
7 service for city agencies. In addition to the City-
8 wide service desk, we have 311 available for quality
9 of life complaints and then also triaging where to
10 find access to certain services. And then also on
11 nyc.gov/311, the resources that (INAUDIBLE) 311
12 center operators have access to, the public also has
13 access to.

14 CHAIRPERSON GUITIERREZ: So, that's the only
15 system right now for a New Yorker, you know, uh,
16 paying a parking ticket for example, runs into some
17 issue which has happened before, um, their only
18 recourse is filing a complaint with 311. There is no
19 kind of immediate tech support that they can contact.

20 COMMISSIOENR FRASER: That, that, that's correct.

21 CHAIRPERSON GUTIERREZ: Do you have a sense of,
22 with the current system, which is having New Yorkers
23 calling 401, do you have a, do you have a sense of
24 what like the average response time is? Um, how long

2 does that person have until they hear back, um,
3 about, regarding their service question?

4 COMMISSIONER FRASER: So, it really depends from
5 agency to agency. Uh, 311 as the, the responsible
6 entity for 311, we take calls in and when we take a
7 call, we distribute it to the agencies that are
8 responsible for remediating an issue. Now, agency to
9 agency those response times vary depending on the
10 severity and complaint type. So, we, we could follow
11 up offline and provide, um, a breakdown for Council
12 what our average response times are by response type.
13 And I think that might provide the information that
14 you need but sitting here I couldn't tell you
15 specifically for that condition what that would be.

16 CHAIRPERSON GUTIERREZ: Sorry, I bring it up just
17 because I think, anybody on a website that has any
18 kind of tech support, there typically is a pathway
19 for them to communicate with that, um, website that
20 there was a technical issue. What I learned from our
21 last hearing with 311, if someone is having a
22 technical issue with their 311 complaint online, they
23 are directed to file that complaint with 311 anyway.

24 So, um, I guess what I am kind of wanting to, to
25 encourage you all to consider is something that's a

2 little bit more uniform and more streamlined in these
3 instances.

4 I know that for the Monkeypox vaccine roll out,
5 um, folks were calling our offices because they
6 weren't sure. They were like, "I don't know if it's
7 my internet connection. I don't know if it's the
8 website." So, they kind of felt like there was no
9 central place for them to even find out before 30
10 minutes after the website went up and it crashed
11 before that information was public, folks were
12 scrambling because they were not sure, what they
13 could do, who they could call, and so they started to
14 tweet. They started to call our offices. And so, is a
15 more streamlined system or tech support for New
16 Yorkers something that OTI would consider as an
17 additional service?

18 COMMISSIONER FRASER: So, certainly we, we, we
19 would consider it. Um, the one thing I point to, is
20 when we look at an entity like 311, that's existed
21 for the last two decades and that we spent a lot of
22 time both advertising and making people aware of
23 where they could provide, you know, provide quality
24 of life and service complaints. Um, we can look at
25 things that can supplement that, but when messaging

2 campaigns around a mature service like that seems to,
3 you know, not, not do the trick.

4 Um, introducing additional numbers and complexity
5 may, may hurt us more than help us. But we will
6 certainly look at it.

7 CHAIRPERSON GUTIERREZ: Yeah, I mean, as, you
8 know, a regular user, um, I would, I would, I believe
9 that going onto a website and there's a tech support
10 and there's just one number for all in my
11 interactions with the agencies, I would feel that
12 that seems more streamlined and more efficient, but.

13 COMMISSIONER FRASER: That's, that's what 311 does
14 today.

15 CHAIRPERSON GUTIERREZ: But, but, no, 311 doesn't
16 provide tech support.

17 COMMISSIONER FRASER: Oh, you mean like.

18 CHAIRPERSON GUTIERREZ: Yeah, that's specifically
19 what I'm asking about.

20 COMMISSIONER FRASER: It, it depends, right, so if
21 you're trying to apply for a specific service, you
22 could call 311. They can talk you through how to get
23 to that service. In some cases, if you have issues
24 around navigation, 311 can also help with that. But
25 in terms of a general tech support line, 311 is not

2 positioned to do that. So, you are correct on that
3 perspective. But, basic technical support, 311 can,
4 can provide where to find it, how to navigate it, the
5 submission process.

6 CHAIRPERSON GUTIERREZ: But what if a tech support
7 is needed for 311? I'm, I get what you're saying.

8 COMMISSIONER FRASER: Yes.

9 CHAIRPERSON GUTIERREZ: I just, based on the
10 experience that constituents had with this
11 vaccination roll out, it feels a little disjointed
12 to, to tell people to then call 311 for tech support,
13 especially when they're kind of in the middle not
14 understanding if the issue they're having is their
15 own internet connection or like the actual website
16 has crashed.

17 COMMISSIONER FRASER: Yes, so, I, I, think in that
18 front, we can certainly look to do this and by no
19 means am I saying what we have is perfect, but, um,
20 there are ways that we can optimize, and we can get
21 better, and we will explore all those ways.

22 CHAIRPERSON GUTIERREZ: So, for the, the internal
23 help desk that you provide for agencies, do you have
24 a sense of how many of those calls OTI gets monthly
25 or weekly, however, however you can quantify that? Do

2 you have a sense of how many times agencies are
3 reaching out to the internal help desk?

4 COMMISSIOENR FRASER: So, we can follow up with a
5 report, uh, for you so you can see, uh, the specific
6 monthly metrics. Now, it moves up and down depending
7 on whether there's an application release or whether
8 there's maintenance going on across the system. Uh,
9 so, for the specific metrics, we can, we can follow
10 up. But, in terms of volume, um, it's, we're fielding
11 tens of thousands a calls per month.

12 CHAIRPERSON GUTIERREZ: Okay. Wow. Um, that's
13 significant. Can you and you shared this a little bit
14 before, but can you outline a little more of a
15 testing that's done for websites and mobile apps
16 before they're released to the public, now under OTI?
17 Um, what are some of the, the testing, um, that, that
18 the agency does?

19 COMMISSIONER FRASER: So, it, there is security
20 testing so where you actually do code review to make
21 sure that what you're putting out, we look for all
22 known vulnerabilities through, um, through, um, you
23 know, major cyber tool, tool sets. Uh, in addition to
24 code invulnerability scanning, we also do performance
25 testing. We want to make sure, and when I say

2 performance, it's, it's load testing to make sure
3 that if you hit a website with 1,000, 2,000, 10,000
4 concurrent users, what experience does that person
5 have?

6 Uh, we also do functional user acceptability,
7 user acceptance testing, functional testing. Does the
8 website move in the directions that we expect it to
9 move? Is there any bug that we see and how can we
10 remediate those kinds of things? But those are in
11 broad strokes, security testing, user acceptance
12 testing, load and regression testing are the, are the
13 big buckets of testing that we perform.

14 CHAIRPERSON GUTIERREZ: And this happens with
15 every, um, website or mobile app that is under OTI
16 right now? Or is there instances where the City kind
17 of does this like an audit of all the City websites?

18 COMMISSIONER FRASER: So, there's a, there's a
19 proactive scanning, security and vulnerability
20 scanning of all the City's mobile, all the City's
21 websites, right, to just look from a security
22 perspective. In terms of testing, um, the distinction
23 you put out, as the Office of Tech and Innovation,
24 this is, a lot of what we're doing is establish going
25 forward, right.

2 Now, historic look backs and periodic testing of
3 existing assets that are not, that are already out
4 that's not currently on the forefront, it's how do we
5 look forward, and we pull everything else into what
6 we're doing now.

7 CHAIRPERSON GUTIERREZ: Um, can you share how much
8 web traffic our City's websites receive each month?

9 COMMISSIONER FRASER: Uh, I can get you the
10 specific volume. Uh, just one sec. But
11 Newyorkcity.gov gets, so is this specific to Vax4NYC
12 or just across all New York City's websites?

13 CHAIRPERSON GUTIERREZ: So that would be my follow
14 up question. But I'm curious just overall, um, if you
15 have that number, and then I wanted to ask what the
16 web traffic was on the day the Monkeypox site went,
17 well, crashed, went live and crashed.

18 COMMISSIONER FRASER: Yeah, so, for New York City,
19 for nyc.gov, uh, our traffic between August 10, 2021,
20 and August 9, 2022, uh, it's about 298 million page
21 views, um, 128 million site visits, and the average
22 page, page view per site visit, it's about 2.3.

23 CHAIRPERSON GUTIERREZ: Wow. Um, would you, would
24 you be able to share or get to us how, what was the

2 web traffic on the website, on the vax website the
3 day of the, the Monkeypox roll out?

4 COMMISSIONER FRASER: So, as, uh, previously
5 mentioned, the vax website was not hosted by the
6 Office of Tech and Innovation the day it crashed. So,
7 the specific volume and load on that website, I, I
8 would defer to my colleagues at the DOHMH to get to
9 you. Uh, I can tell you for Vax4NYC, between January
10 of this year and July, uh, we had about 2.5 million
11 page views.

12 CHAIRPERSON GUTIERREZ: Page views. Thank you. I'd
13 also just like to acknowledge Council Member Gail
14 Brewer who has joined us. Um, I want to shift a
15 little bit. Um, cyber command is responsible for
16 establishing and regularly updating cyber security
17 policies. Um, although there are cyber security
18 protocols in place, some of them have not been
19 updated since 2014, is my understanding, not, not
20 uniformly. I think my understanding is that some of
21 those policies have been updated since 2014. Um, is
22 that, can you confirm that or?

23 COMMISSIONER FRASER: It's possible. So, when we
24 look at cyber policies, the reason why some of them

2 may not have been updated is because they, they may
3 still be relevant.

4 CHAIRPERSON GUTIERREZ: Okay.

5 COMMISSIONER FRASER: Um, there approaches, there
6 are approaches that, that have changed, like you
7 said, cyber liaisons, requirements around minimum
8 levels of cyber security tooling. Uh, there are
9 policies that we have updated in terms of
10 vulnerability and how we test email and things along
11 that, things along that lines, phsishing testing.
12 And, in some of the policies if they have not been
13 updated since 2014, it's quite possible that those
14 specific policies are still relevant and good
15 policies.

16 So, Cyber Command is led by Kelly Moan, our City-
17 wide Chief Information Security Officer, who is very
18 capable and spends a lot of time working with the
19 cyber community across the City to ensure that
20 they're online not just with the high standard from a
21 government watermark, but we're a high standard for
22 the global, the global operating watermark.

23 CHAIRPERSON GUTIERREZ: I'm a little concerned
24 that a cyber security protocol from 2014 might still
25 be relevant considering kind of what the experiences

2 of, uh, that the DOE had not too long ago, um, that
3 the City's parking mobile application. Um, I guess
4 I'm concerned. I, I just don't see how that's
5 possible, but you are the Commissioner on that. Um,
6 how, how can you ensure that vendors are, are even
7 following these protocols?

8 COMMISSIONER FRASER: So, uh, I, I think you
9 pointed out two, two things. The first, the first
10 thing that you pointed out in terms of historic
11 failures of websites, now this administration took
12 seat in January, and I cannot attest to the practices
13 that led to the conditions where those websites had
14 issues. Um, and I, I, I can't really criticize the
15 people that sat in those roles, because the people
16 that sat in those roles were the only ones that were
17 aware of the factors that caused them to make the
18 decisions they made.

19 Moving forward, one of the things that I
20 mentioned earlier on, was around the cyber rider to
21 make sure that all contracts that we, that we execute
22 has that, those, those cloud terms and agreements.
23 One of the things that you pointed to earlier was
24 DOE, uh, and what happened in that particular
25 situation. Now, our partners at the Department of

2 Education and OTI are working very closely to ensure
3 that things like that aren't, aren't, they, they
4 don't continue to happen.

5 Key here, I'm not sure if you ever heard this
6 before, but a smart person learns from their
7 mistakes. A wise person learns from the mistakes of
8 others. So, we seek to be wise, but we're smart in
9 every interaction, so every time we trip, we learn to
10 make sure we don't trip again. In the particular, in
11 those particular cases, if we, had we had some of
12 these reviews in place prior to execution, if we had
13 some of these terms in place prior to execution, we
14 would not have had the issues that we had in that
15 particular case.

16 CHAIRPERSON GUTIERREZ: Right, no. I agree, and so
17 this is why, I mean, I'm curious. Is there, just kind
18 of in this conversation that you and I are having
19 right now, are you interested in looking into what
20 are those existing protocols from 2014 that maybe
21 could benefit from a review, um, and an update?

22 COMMISSIONER FRASER: So, so, we're, the, the
23 question supposes that we haven't reviewed it. But,
24 uh, but what I'm saying is that Kelly Moan who's the
25 CISO for the City, when I say very capable, very

2 capable. And we've done a comprehensive review of all
3 of the underlying policies around cyber and for the
4 ones that still exist from 2014, I mean, it could be
5 that those policies are still relevant. But what I
6 will commit to Council is that I'll take this back
7 and I will provide confirmation that anything that
8 exists prior to the start of this administration,
9 that it has relevancy in today's cyber market.

10 CHAIRPERSON GUTIERREZ: Fantastic. Thank you. Um,
11 according to local law 89 of 2020, Cyber Command has
12 to regularly train appropriate City officers and
13 employees on cyber security policies. How often does
14 Cyber Command train the agencies and their staff?

15 COMMISSIONER FRASER: So, the City-wide mandatory
16 cyber security training that every agency must
17 complete annually, every City employee must complete
18 annually, in addition to the City-wide cyber security
19 training we're taking a proactive step at training
20 resources. So, with the cyber liaison request that we
21 put out to every agency, we also instantiated a cyber
22 academy.

23 So, we work with entities like the federal
24 government to understand how they take federal agents
25 and turn them into cyber professionals. And we built

2 a curriculum to help build that dexterity within the
3 City itself. Needless to say, the technology market
4 is a hot job market, and we have a lot of talent
5 within the City. And we want to grow cyber talent in
6 the City.

7 So, to do that, we, we are investing a
8 significant, a, a significant amount of time and
9 energy in training the City's cyber, the cyber
10 workforce, in addition to making sure that every
11 agency, every employee knows that when they get a, a,
12 a message saying that, you know, send me \$1,000 and
13 I'll give you \$10,000 back, they don't reply to that
14 message.

15 CHAIRPERSON GUTTIÉREZ: Okay. Um, I just want to
16 kind of go back on the conversation of the, the
17 riders and kind of what those new riders mean for,
18 um, uh, agencies. Um, is there any other mechanism to
19 ensure that vendors are following the protocols?

20 COMMISSIONER FRASER: Apologies. Any other
21 mechanisms besides the riders?

22 CHAIRPERSON GUTTIERREZ: Yeah, besides the riders.
23 So, is there any other? So, I'm like, I don't want to
24 spend a lot of time on this particular piece, but
25 like I'm thinking City Bridge for example.

2 COMMISSIONER FRASER: Okay.

3 CHAIRPERSON GUTIERREZ: Where there was a
4 violation of like a contract for example. In these
5 instances where you are working with a vendor, um,
6 are there examples besides the rider, um, no wait,
7 excuse me. I'm, I'm going off. Are there examples
8 with City agencies as you're helping them kind of
9 update their, their new policies where there's other
10 mechanisms that are in place to ensure that they're,
11 you know, that they're being tested, that they're
12 being safe, other than the rider?

13 COMMISSIONER FRASER: Yeah, certainly. So, there's
14 a cyber spend review that looks at the financial
15 aspects of any program, uh, large in scale from a
16 technology perspective, right. So, that makes sure
17 that as we're spending, we're aware of the cyber
18 responsibility to ensure those systems are safe.
19 Beyond that, there's also security testing of
20 applications as they're commissioned to ensure that
21 they align with the City's security practices.

22 There's an, there's an architectural engineering
23 review board that takes a look at City systems that
24 are commissioned and to ensure that they're aligned
25 with the industry's best practices. So, along the

2 way, not just at the contract phase, but actually as
3 systems get built, there are safeguards put in place
4 to actually test what was committed in the contract
5 to ensure that it aligns with our expectations.

6 CHAIRPERSON GUTTIÉREZ: I'd also just like to
7 acknowledge Council Member Erik Bottcher who's
8 joining us. Thank you. Um, I also wanted to ask, in
9 the instances where, um, OTI is testing websites or
10 mobile apps, um, do you have a sense of, of how many
11 OTI's, since January, how many of those websites are,
12 you, you've already kind of proactively scanned?

13 COMMISSIONER FRASER: Apologies. Can you repeat
14 the question?

15 CHAIRPERSON GUTTIÉREZ: Of the, of the, of the
16 kind of the proactive scanning, of the security
17 vulnerability scanning that you mentioned earlier
18 that OTI is doing, do you have a sense of how many
19 of, of the, the City websites have been scanned?

20 COMMISSIONER FRASER: Uh, so, we, we, we do
21 indeed. Unfortunately, I don't have that stat with
22 you. What I can share is the vulnerability reports
23 that we get out so that you can see it's not just,
24 it's not just a, a periodic scan, we have weekly and
25 nightly scans of our critical infrastructure, so

2 we'll make sure we share that, those metrics with
3 you.

4 CHAIRPERSON GUTTIÉREZ: Thank you. Um, okay. Now,
5 I'm going to ask some of the Monkeypox, uh, vaccine
6 roll out questions. And then you will (INAUDIBLE).
7 Um, and thank you, once again, for, for joining and
8 for being available for questions.

9 Um, so Commissioner Fraser mentioned that the,
10 the Monkeypox vaccination roll out what under DOHMH
11 so OTI was not responsible for the vaccination
12 platform to begin with. Was OTI consulted on this
13 roll out? Um, and if not, um, kind of what was the,
14 the decision there, um, to have DOHMH just roll
15 through this vaccination unilaterally?

16 COMMISSIONER FRASER: Got it. So, I'll, I'll take
17 the, the, the first part of that question and then
18 we'll see if that suffices, and then we can continue
19 on if that makes sense.

20 Alright, so the Office of Tech and Innovation was
21 consulted by, uh, the City's Doctor, uh, Doctor
22 Vasan, right, uh, and when we, when we knew, you
23 know, the, the vaccines were, were imminent, in
24 bound, as we looked at it, uh, with another public
25 health crisis on, on, on the rise, there were many

2 conversations around how we can get the functionality
3 in and how could we get that incorporated into the
4 Vax4NYC portal.

5 Now, we started in a parallel track in moving,
6 moving our development efforts towards building the
7 capability into Vax4NYC. But again, with vaccines
8 inbound, there were, um, there were decisions made by
9 the Department of Health and Mental Hygiene to push
10 in, push in the direction with the vendor that they
11 already had on board to do similar kinds of work.
12 Again, the, the, the urgency around getting access to
13 the vaccine as quickly as possible to the people who
14 needed it.

15 Um, from a technology perspective, within, we had
16 a projected estimate, um, during this point of, uh,
17 three weeks to get the functionality into Vax4NYC.
18 And, because of the demand and the urgency and given
19 what could happen, we were able to pull that into two
20 weeks while working, uh, and completing all the
21 performance testing and all the things that we, we
22 typically do.

23 So, short answer is yes, we were consulted and
24 there were many factors at play that, that caused
25 what we experienced.

2 CHAIRPERSON GUTTIÉREZ: Um, thank you. Were any of
3 the, the folks that were responsible for the COVID-19
4 tech and operations portion consulted on how to best
5 roll out this platform?

6 COMMISSIONER FRASER: So, the, the COVID-19 tech
7 roll out team, again, was from a previous
8 administration, so I could not attest to those that
9 were in the decision making, uh, that had decision
10 making power and that experience. Uh, here, uh, we
11 have a team of people that has maintained Vax4NYC and
12 has maintained all of the other systems around this
13 particular effort that, that had been consulted. And
14 that, this is how we got to the state where we are
15 now, where we have it incorporated into Vax4NYC which
16 has been a very successful release.

17 CHAIRPERSON GUTTIÉREZ: Do you know who in City
18 Hall or in this administration was, um, is
19 responsible for making the Monkeypox platform roll
20 out decisions?

21 COMMISSIONER FRASER: So, when we look at things
22 from a public health perspective, there's one
23 authority for public health, and that's the City's
24 doctor.

25 CHAIRPERSON GUTTIÉREZ: That is the?

2 COMMISSIONER FRASER: The City's Doctor, right. He
3 makes the decisions on what's best in the best
4 interests of public health.

5 CHAIRPERSON GUTTIÉREZ: And so, you would say that
6 he was responsible, well not responsible, but this,
7 he was the top decision maker in kind of putting a
8 stamp of approval on, on the platform, on how the
9 website was going to be able to, to have New Yorkers
10 come in and sign up for vaccines?

11 COMMISSIONER FRASER: Yeah, so, in this particular
12 case, I'm not certain that I, I have to say that
13 because he said it himself publicly and I, I think
14 that there's testimony on that that covers that.

15 CHAIRPERSON GUTTIÉREZ: Can you, or Doctor
16 Easterling, um, can you please name the vendors that
17 have been contracted to date for the Monkeypox
18 vaccine website?

19 COMMISSIONER FRASER: In, in, including the
20 existing operator?

21 CHAIRPERSON GUTTIÉREZ: Yeah, so, from the moment
22 the City said we're going to need to provide
23 vaccines. Um, just a, a list and a timeline
24 essentially of who those vendors that were selected
25 were.

2 COMMISSIONER FRASER: Sure thing, so, would you?

3 FIRST DEPUTY COMMISSIONER EASTERLING: Yeah, yeah,
4 yeah. Uh, first, let me just say thank you to the
5 Chair for, uh, having us, uh, here today, uh, having
6 the Department of Health, uh, join Commissioner
7 Fraser to provide responses to the question-and-
8 answer period. And thank you to the Council for
9 having us.

10 Um, and so, specifically, specifically to your
11 question, um, one I do want to make sure, uh, that we
12 sort of set the record straight a bit. Uh, we did not
13 contract, uh, with any, uh, vendors, uh, for this
14 service. Um, particularly, because you were asking
15 about, uh, some of the technology services, these are
16 vendors that we already had relationships and our
17 existing contracts with, uh, because of their ability
18 to provide vaccines. I think it's important for us to
19 sort of, uh, ground this in the moment that we were
20 in. In late May, we had our first case for the, uh,
21 Monkeypox virus. And I do want to also just state in
22 the Chamber, going forward, I'm going to use MPV, uh,
23 instead of Monkeypox, um, just to, uh.

24 CHAIRPERSON GUTTIÉREZ: What is it?

2 FIRST DEPUTY COMMISSIONER EASTERLING: MPV, uh,
3 the shorter version, um, just to acknowledge the
4 virus. Uh, so in, in late May we had the first case,
5 uh, in New York City. Uh, and then in early, in
6 early, uh, June, we started to think about what our
7 vaccination campaign would look like. And I think
8 it's also important to acknowledge that at this time
9 we only knew that there was only going to be a
10 limited amount of supply related to the vaccines.
11 Number two, we did not have any knowledge of whether
12 or not there were going to be additional doses that
13 would be available to the City. And number three,
14 there was no federal strategy at that time. The
15 federal strategy did not become available till late
16 June, exactly June 28th.

17 And so, it was imperative for us, uh, to lead by
18 example because we knew, and we've seen this in
19 previous outbreaks, that often New York City is at
20 the center of many of these outbreaks. And so, we
21 wanted to make sure that we were going to mitigate
22 spread of this virus and two, we could get vaccines
23 quickly into the arms of New Yorkers.

24 And so, as I mentioned, early June we began to
25 have conversations and that included consultations

2 with OTI about what our, um, uh, opportunities and
3 what our approach could be. Uh, we started to think
4 about, you know, essentially working with our
5 existing vendors. And so, to your specific question,
6 the first vendor that we did begin to work with is
7 MedRight. Uh, this is a contract that we already
8 established in 2021, uh, and able to get out vaccines
9 quickly to New Yorkers. And then the second, uh,
10 vendor that we began to work with was Affiliated
11 Physician. Uh, and that contract was actually
12 established, uh, in 2020.

13 Both vendors we have worked with during our COVID
14 vaccination campaign, in home vaccination, schools,
15 and other congregate settings as well.

16 CHAIRPERSON GUTTIÉREZ: I understand. So, they
17 were existing contracts, um, with both vendors. And
18 during the decision to roll this vaccination, um, it
19 was just an extension, essentially, of an existing
20 contract?

21 FIRST DEPUTY COMMISSIONER EASTERLING: So, these
22 is not an extension because this is work that
23 essentially that is, that is happening. They are
24 already supporting our COVID-19 vaccination campaign
25 in a number of different areas. AP has been providing

2 our baby vaccine campaign throughout the City and
3 they have continued to support that as well. And so,
4 this, this is a scope that we know that they are able
5 to accomplish.

6 CHAIRPERSON GUTTIÉREZ: So, was the decision to
7 utilize these, these existing vendors, um, one based
8 on that existing relationship, was it efficiency? Um,
9 was it just the easiest? Like, I'm curious kind of
10 what the, the thought process behind just leaning,
11 leaning on these, um, these two vendors that you
12 already have a contract with for this roll out?

13 FIRST DEPUTY COMMISSIONER EASTERLING: Um, thank
14 you for the question. So, one, I, I would say is the
15 public health goal, right, preventing spread and
16 getting vaccines quickly into the arms,
17 acknowledging, uh, the moment that we're in, limited
18 supply. This is a pilot of 1,000 doses at that time.
19 Early June, we were only told by the federal
20 government, uh, that because of limited supply, the
21 City would only receive about 1,000 doses. We did not
22 know how many vaccines would be available after that
23 point.

24 Uh, and so, we wanted to move with urgency to
25 ensure that we were going to get vaccines out to New

2 Yorkers and being, uh, able to set up that
3 infrastructure, these are vendors, as I've already
4 mentioned, that were existing, and so, this was, uh,
5 sort of the best route in sort of getting those
6 vaccines quickly.

7 CHAIRPERSON GUTTIÉREZ: Can you share what
8 funding, whether City, state, or federal was used to
9 fund the vaccination website, the MPV vaccination
10 website?

11 FIRST DEPUTY COMMISSIONER EASTERLING: Um, so, I,
12 I do not have all of those numbers, um, you know, in
13 front of me, but what I can say, uh, is that the
14 contract that was already established was part of
15 existing City funds that were being used.

16 COMMISSIONER FRASER: Yeah, so, just, just to
17 dovetail on the Doctor's response, when you look at
18 how federal funding is provided, it's provided as
19 reimbursement to activities that's already gone,
20 that, that have already taken place, so expenditures
21 that you have already incurred. So, it could very
22 well have been an amalgamation of both City, state,
23 and federal funds. But again, like all of our COVID
24 efforts and all of the technology efforts surrounding
25 that, we are very thankful to our federal and state

2 partners for providing subsidies for helping us push
3 these efforts forward.

4 CHAIRPERSON GUTTIÉREZ: Um, do you have a sense of
5 what the vendor costs for the COVID-19 vaccine
6 portal, once it, what it was once it was moved under
7 OTI?

8 COMMISSIONER FRASER: Apology. The total cost for
9 deployment for the COVID-19 portal?

10 CHAIRPERSON GUTTIÉREZ: Yeah, once it, once it was
11 moved over to OTI, yes.

12 COMMISSIONER FRASER: I can follow up with Council
13 and provide the, the details of all the expenditures
14 associated with that program. But, not a program.

15 CHAIRPERSON GUTTIÉREZ: Thank you. Uh, Doctor
16 Easterling, or, or Commissioner Fraser, excuse me,
17 um, for either one of you, um, can you share what
18 were the issues that prompted DOHMH to contract, not,
19 not to contract, but to use two different vendors for
20 this vaccination roll out?

21 FIRST DEPUTY COMMISSIONER EASTERLING: Certainly,
22 so again, just going back to, uh, the timeline. So,
23 as I mentioned in early June, uh, we began to have
24 conversations about how we were going to administer
25 the pilot of 1,000 doses in New York City, um,

2 through our existing contract. Uh, the decision was
3 made to leverage MedRight, uh, because this was a
4 contract that was already in place. We stood up, uh,
5 our sexual health, um, our vaccination campaign at
6 our, at our Chelsea Sexual Health Clinic, which is
7 our temporary MPV vaccine site. Um, and it went, uh,
8 it went well. We were able to administer all of those
9 vaccines. Now, of course, we saw that the demand
10 outstripped the supply because we only had 1,000
11 doses. So, there were no website issues at that time.

12 But, as we saw that demand was increasing, and as
13 I've already mentioned, in late June, the federal
14 strategy came out as well as additional information
15 about new tranches of doses that were coming to the
16 City, we knew that we needed to reengage OTI to think
17 about, uh, what those capabilities will look like
18 for, um, for scheduling, um, regarding the, the MPV
19 vaccine doses.

20 Um, and, as the Commissioner had already
21 mentioned, the timeline that we provided, we were
22 told three weeks, but they were able to accomplish
23 this within two weeks, so, really, um, you know,
24 kudos to, to OTI to be able to accomplish that, but
25 we still wanted to get out the doses that we had, uh,

2 in our coffers. And so, we moved forward with
3 MedRight once again, uh, in, in, uh, early July, and
4 at that time, we did, we did see tech issues happen,
5 uh, during that second time when we released doses.
6 Um, essentially, uh, they did not deactivate a link,
7 and so, at the time of the release, there were
8 already, uh, the appointments had already been
9 booked.

10 Uh, and so, at that time, we moved forward to
11 move away from MedRight and then work with a second
12 vendor, Affiliated Physicians. And so, uh, once we
13 released the third tranche of doses with Affiliated
14 Physicians, that's when we saw, uh, the second issue.
15 But I do want to just, um, note, you know, overall
16 what we have seen, is that we've been able to get out
17 tens of thousands of doses of vaccines out to New
18 Yorkers. And so, these were the two issues that did
19 happen. And it was really important, we've learned a
20 lot. We certainly try to improve our capabilities and
21 continue to work with OTI to ensure that New Yorkers
22 have the information they need to get vaccines.

23 CHAIRPERSON GUTTIÉREZ: What, um, thank you for
24 that timeline. Can you share how much time, or how
25 many days since the day, since MedRight, um, was, uh,

2 managing and maintaining the site and the site
3 crashed, and then the agency decided to move to, uh,
4 Affiliated Physicians? How, what, what was the time
5 lapse between that crash and the decision to change
6 vendors?

7 FIRST DEPUTY COMMISSIONER EASTERLING: Um, so as
8 the Commissioner mentioned, this was all happening
9 simultaneously. So, as we had seen that those issues,
10 uh, began to occur, we were already reengaging OTI
11 and talking, talking with them about those issues.
12 So, I would say within, uh, days that we were, uh,
13 understanding what was happening, uh, with the
14 release of the doses. Uh, we were already sort of
15 talking about what the next steps would be to work
16 with another vendor.

17 CHAIRPERSON GUTTIÉREZ: So, do you have a date
18 when OTI started to work on Vax4NYC for this roll
19 out? For this vaccination, sorry.

20 COMMISSIONER FRASER: So, so, the conversation
21 started in mid-June. The specific day where it
22 commenced was June 29th. This was a big day where
23 work was completed was on July 13th.

24 CHAIRPERSON GUTTIÉREZ: Okay.

2 COMMISSIONER FRASER: And the evening of July 14th,
3 the functionality was introduced to the public. So,
4 which brings us right under our two week, two week
5 mark.

6 CHAIRPERSON GUTTIÉREZ: Um, can you, um, share, if
7 there was any transition between the previous
8 administration and that COVID vaccine, uh, platform
9 and now this administration, this new agency, and
10 then this vaccination roll out? Was there a
11 transition process? Was there, um, yeah, were there
12 any kind of conversations or, uh, discussions around
13 kind of what happened with the, the 2021 platform at
14 the end, before the new, before OTI? Was there any
15 transition?

16 COMMISSIONER FRASER: Yeah, so, the, as part of
17 any Mayoral transition, outbound administration
18 performs a transition memo so the agencies or those
19 that are assuming control are aware of decisions,
20 recent decisions that's been made, things that
21 require attention and so on. So, we, we, as part of
22 the Mayoral transition, there were conversations
23 around COVID, as, you know, we're still in the middle
24 of a public health crisis.

2 CHAIRPERSON GUTTIÉREZ: Thank you. Um, I'm going
3 to shift over so that my colleagues can ask some
4 questions. We're going to have, uh, Council Member
5 Gail Brewer and then Council Member Erik Bottcher for
6 some questions.

7 COUNCIL MEMBER BREWER: Thank you very much, and I
8 appreciate, um, what you are trying to accomplish
9 having lived through Bloomberg and DeBlasio on some
10 of these topics. So, my question though may not be
11 relevant because it is a smaller system, but I know
12 what, years ago with the childcare centers,
13 technology for the nonprofit was as challenging as it
14 was for the City.

15 So, in your case, you don't have that many, uh, I
16 would say entities, in the field, but I just want to
17 know, are they, do they have what they need in order
18 to address the technology issues? Obviously, just
19 have your health centers, I assume. But, if you could
20 just make sure, help me to understand that that's not
21 a problem, that they have the funding, they have what
22 they need technologically.

23 Obviously when you're contracting with
24 nonprofits, that's often not the case. But I was just

2 wondering if maybe there's, there's no issue here,
3 but I wanted to understand.

4 COMMISSIONER FRASER: So, in the Department of
5 Health and, and Mental Hygiene, very similar to all
6 of our other agencies, when it comes to support and
7 services capabilities, they have a support desk that
8 can triage internal complaints around systems which
9 extends to their CBOs that work with them that are
10 consumers of the systems that they leverage. But is,
11 does that answer the question or is?

12 COUNCIL MEMBER BREWER: Yeah, I just, I mean, I
13 guess there have been no complaints cause often not
14 with your, but certainly with other DOH contracts,
15 there's plenty of complaints, so, uh, how daycare
16 centers as an example. They just don't have the
17 capacity to do some of the work that comes, you know,
18 sometimes they can't even handle video because of the
19 lack of support in terms of their hardware.

20 COMMISSIONER FRASER: Yeah, makes sense.

21 COUNCIL MEMBER BREWER: So, that's what I'm
22 saying. That, that kind of, sometimes those little
23 things can trip you up.

24 COMMISSIONER FRASER: Makes sense. So, in
25 addition, for this specific vaccination effort,

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2 COVID-19 and MPV, uh, there's a service, there's a
3 support desk that's, that's available.

4 COUNCIL MEMBER BREWER: 24 hours? That's a 24
5 hour?

6 COMMISSIONER FRASER: Sorry. It's not, it's not 24
7 hours. From a cost perspective, it doesn't, it
8 doesn't make sense to keep it 24 hours. Most of our
9 operations happen during normal business hours and by
10 the time you get to 10:00 pm, 11:00 pm, call volume
11 really dips off until 7:00 am. So, we operate during
12 peak operating hours, and we have extended hours to
13 catch those that have early or late, late starts.

14 COUNCIL MEMBER BREWER: Okay. And the help desk, I
15 should know this, is operated by the City?

16 COMMISSIONER FRASER: It's a mix of City resources
17 and outsourced call center.

18 COUNCIL MEMBER BREWER: Okay. So, is it
19 coordinated with 311, is that idea?

20 COMMISSIONER FRASER: That is correct.

21 COUNCIL MEMBER BREWER: So, they have CUNY
22 students, King, and City.

23 COMMISSIONER FRASER: Yes.

24 COUNCIL MEMBER BREWER: I know every one of them.

25 COMMISSIONER FRASER: Oh.

2 COUNCIL MEMBER BREWER: Cause I was there at the
3 beginning when they all were hired. I used to hire
4 them, the CUNY students. Um, so my question, alright,
5 so you're saying that there haven't been that many
6 complaints in terms of the providers. The other one
7 is a health question, and it's an overall global,
8 and, and maybe it's the wrong question. But my, for
9 both COVID and, um, as, what do you call it, MPX?
10 Whatever. I like to call it Monkeypox, whatever your
11 acronym is. It seems to me, that despite all the
12 challenges, people have been getting, uh, free
13 healthcare in the most basic, fabulous way, but then
14 they never go to a doctor, they never see a health
15 professional, et cetera.

16 So, my question is, is there any way without, um,
17 (INAUDIBLE) and privacy concerns being violated, et
18 cetera, to think about this, this is more for Doctor
19 Easterling, how we can address the health concerns of
20 all of us. I'm the worst, never go to a doctor. God
21 forbid I go to a doctor. But there are, I'm not, I'm
22 not unusual in that sense.

23 So, I'm just wondering, are we taking all of this
24 information? Is there anything we can do to say this
25 is a group of people who have really taken, uh, you

2 know, it's great that the City's offering this health
3 free of charge. Is there anything we can do to help
4 it as a society improve the healthcare? Maybe there
5 is no way cause we can't, we can't get their names.
6 We can't use the database. That's against the law. I
7 got it. But I just didn't know if you've been
8 thinking about this. I think about it a lot because
9 people really got vaccinated thanks to you. And now
10 what?

11 FIRST DEPUTY COMMISSIONER EASTERLING: Uh, well
12 thank you for the, for the question, Council Member
13 Brewer. Um, yeah, and we, we do. We think about this
14 all the time. I mean, this is, uh, essentially the
15 work that we have to do as, as a public health agency
16 in partnership with our colleagues at New York City
17 Health and Hospitals, we are a safety net, and we
18 need to ensure that no one is left behind.

19 Um, and, and so even though I'm a doctor, I'm a
20 public health professional, and I think the starting
21 point is prevention, uh, and I think that that also
22 leads to good health and ensuring that our
23 neighborhoods, um, really have all of the resources
24 they need to keep people healthy. It also means that
25 individuals are getting vaccinated. And so, we have a

2 very robust infrastructure to ensure that folks are
3 getting vaccinated, and I think this is where you
4 were heading with emerging and reemerging infections
5 across the world and they're certainly showing up
6 within our City lines, I think we have to make sure
7 that we are messaging how important vaccines are and
8 doing all the things that we, we know are helpful.

9 Secondly, uh, we are working with our Health and
10 Hospitals colleagues to ensure that as we're
11 messaging out about our vaccines, that we are
12 circling back around to make sure individuals are
13 getting access to healthcare services as well. And I
14 think that messaging, uh, is really important, not
15 necessarily from a surveillance point, but making
16 sure that our, our providers, our hospital system but
17 then our community-based organizations have access
18 points.

19 And lastly, I will say that I think this was a
20 really important investment. What we did to evolve
21 and leverage our test and trace infrastructure, our
22 T2 infrastructure to evolve to public health
23 (INAUDIBLE), ensuring that the neighborhoods that
24 have been hardest hit by COVID-19 now have community
25 health workers both connected to H and H, but also to

2 community-based organizations. We have over, um, 80
3 organizations that have now have community health
4 workers.

5 And I think these are the type of access points
6 that are going to be really important going forward.

7 COUNCIL MEMBER BREWER: Do you have any way of
8 evaluating if more people have a primary care doctor
9 or Health and Hospitals, um, you know, a healthcare
10 insurance, do you have any way of evaluating what
11 you're saying?

12 FIRST DEPUTY COMMISSIONER EASTERLING: Absolutely.
13 This, these are the indicators that we look at on an
14 annual basis and we're certainly happy to follow up
15 with you, I mean, certainly from an insurance, um,
16 rate what we see across the City as well as
17 individuals who are empaneled within, with Primary
18 Care Providers. This is why we work with our
19 healthcare systems to make sure that we have this
20 type of data.

21 COUNCIL MEMBER BREWER: Okay. I mean, I hope
22 you're right. I, I know you're trying. And the other
23 thing is, I know maybe the Chair asked about this,
24 we've been hearing about MyCity for a long time. So,
25 I just was wondering the status of it? I know you're

2 working on it. Um, I think there's a bill that
3 somebody has put forward. I just don't know if it's
4 actually going to happen. I'm more cynical than you.
5 I am cynical. I've been doing this too long.

6 COMMISSIONER FRASER: Yeah. So, luckily, both the
7 Mayor and I are, are, uh, in the business of making,
8 uh, those that don't believe into believers, right.

9 COUNCIL MEMBER BREWER: Uh-huh.

10 COMMISSIONER FRASER: Right. So.

11 COUNCIL MEMBER BREWER: And I'll sell you the
12 Brooklyn Bridge. Go ahead.

13 COMMISSIONER FRASER: I mean, I could try. I don't
14 know if you'd buy it from me, but. Uh, so, where
15 we're at with MyCity right now, is we're in our user
16 acceptance, uh, testing phase of it.

17 COUNCIL MEMBER BREWER: Okay.

18 COMMISSIONER FRASER: So, what we're doing is an
19 application, a, a human centric, centric design. We
20 want people to look at what we're building before we
21 actually deploy it so we can actually get feedback on
22 whether it meets their expectations or not.

23 So, the first phase of MyCity which is expected
24 within the fall is around childcare. Coordination.

2 COUNCIL MEMBER BREWER: Funny that I should
3 mention that.

4 COMMISSIONER FRASER: Yeah, see. Coordination of
5 benefits around childcare. Now that's the first, the
6 first instance. But the key of what we're doing here,
7 is across the City and all of our data, we want to do
8 one, sort of fundamental thing, is we have to start
9 treating the people of the City not as customers to
10 individuals agencies, but as a customer to the City.
11 So, building a common index of how we identify a
12 person, how we identify a building, a household, and
13 property, is, is what we're doing in the first phase.
14 And like I said, fall of, uh, fall of this year,
15 you're going to see the first, the first wave of
16 MyCity go up.

17 COUNCIL MEMBER BREWER: Okay. The reason I say
18 that with childcare centers, it's ironic that I
19 should mention that, but they often don't have the
20 hardware. Period. They just don't. they don't have
21 the money for it. And then the small businesses,
22 which I assume eventually as customers. So, during
23 the pandemic, I went to, I don't know, it seems like
24 in Manhattan, I went to every single business in the
25 Borough of Manhattan, and the bodegas in Washington

2 Heights have zero computer, not even, you know, often
3 not even a cell phone. So, if you are the business
4 bid, you have to go door to door. Maybe you can text,
5 maybe.

6 So, what I'm trying to say is as you do MyCity,
7 the end product is who's the customer and what do
8 they have and are you going to pay for their
9 hardware? I don't know.

10 COMMISSIONER FRASER: Yeah, so.

11 COUNCIL MEMBER BREWER: I just bring that up
12 because that's where the rub.

13 COMMISSIONER FRASER: No, so you raised an
14 important, a very important topic. So, what you're
15 touching on is digital equity, making sure that as we
16 make digital services available, the people within
17 the City have access.

18 COUNCIL MEMBER BREWER: Your customer, yeah.

19 COMMISSIONER FRASER: That, to those services. Uh,
20 which is why we're doing a number of things to ensure
21 that in the areas that are the most, that have access
22 to the least historically, that we do things to
23 bridge that gap. So, we are very in tune to, to areas
24 where the City has historically fallen short, and we

2 are working very diligently to ensure that we don't
3 repeat those mistakes.

4 COUNCIL MEMBER BREWER: Okay. Um, and I also
5 understand that, um, Madam Chelsea might be leaving,
6 and I will say that is the worst thing I've ever
7 heard in terms of information. And she's been the
8 greatest thing that ever came to the New York City
9 Department of Health. Thank you very much.

10 COMMISSIONER FRASER: Yeah, let the record show we
11 all concur.

12 COUNCIL MEMBER BREWER: You all wish you could get
13 that kind of clap. Thank you.

14 CHAIRPERSON GUTTIÉREZ: Thank you, Gail. Next up
15 we have Council Member Erik Bottcher.

16 COUNCIL MEMBER BOTTCHER: Good afternoon.

17 COMMISSIONER FRASER: Good afternoon.

18 COUNCIL MEMBER BOTTCHER: I'd like to review the
19 sequence of events leading up to July 11th, when the
20 portal went down, the MedRight portal. And just so
21 I'm, I'm clear on the timeline, in early June, the
22 Department of Health and the Office of Technology and
23 Innovation met, and the decision was made to use the
24 Vax4NYC portal, that is, that had been used for
25 COVID-19. But that wasn't going to be ready for some

2 time, so the decision was made in the interim to
3 continue using MedRight. Is that correct?

4 COMMISSIONER FRASER: Specific timing on June 29th,
5 uh, the decision was made to incorporate the
6 functionality into Vax4NYC, and that's when the build
7 started. The projected timing was expected to take
8 three weeks, which would take us into the week of the
9 20th of July. We actually delivered a week early, and
10 the functionality went live the evening of July 14th.

11 COUNCIL MEMBER BOTTCHEER: Thank you. And were
12 there any concerns raised that the MedRight site,
13 not, might not be able to accommodate the volume of
14 people seeking vaccine appointments?

15 COMMISSIONER FRASER: As, as Doctor Easterling
16 pointed out, MedRight and AP, the, the, the teams
17 that they partnered with to do this were teams that
18 had done similar work across, uh, the City
19 historically, to do, to do this kind of thing. Um,
20 there, there was, uh, given previous performance, uh,
21 decisions were made to, to use them again. And if the
22 City had seen something like this, similar to what we
23 saw, then other decisions would have been made.

24 COUNCIL MEMBER BOTTCHEER: Were there any events in
25 the past with MedRight that were similar to what this

2 was, where you had thousands, so many people at an
3 appointed hour accessing the site at the same time?

4 COMMISSIONER FRASER: Is that specific to this
5 administration? Or are you, are you asking, uh, the
6 previous administration?

7 COUNCIL MEMBER BOTTCHEER: The Department of
8 Health, I mean, what, what prior experience had
9 happened with MedRight that might have led the
10 Department to think that this would work?

11 COMMISSIONER FRASER: Uh, as Doctor Easterling
12 stated and he, he can go through the, the levels of
13 service that MedRight is, is still actively
14 performing, although this is one failed instance,
15 they have been a partner to the City in many other
16 ways. Uh, and if you want to go into details behind
17 the, the, where they're also providing service.

18 FIRST DEPUTY COMMISSIONER EASTERLING: Yeah, that,
19 that's absolutely right, uh, Commissioner. And thank
20 you for the question, Council Member. Um, MedRight is
21 a contracted vendor that we've been using, uh, since
22 2021 in a number of different settings, uh, our in
23 home vaccinations, and so really getting our COVID-19
24 vaccine out to our elderly, uh, supporting our school
25 vaccination program, other congregate settings like

2 long term care facilities, uh, really working with,
3 uh, you know, this, this vendor.

4 And so, really these are, uh, contained
5 populations and making sure that they are getting the
6 vaccines out. Again, this isn't a vendor that really
7 focuses on scheduling capabilities and so this is
8 something that we did ask them to do, uh,
9 particularly for this roll out.

10 COUNCIL MEMBER BOTTCHEER: Do you think that anyone
11 at MedRight should have, potentially have flagged
12 that their own site might not be up to this? How many
13 appointments were offered on, on July 11th, like
14 1,200? It wasn't many.

15 FIRST DEPUTY COMMISSIONER EASTERLING: Right. I
16 think we had, uh, 1,000, about 1,000 doses.

17 COUNCIL MEMBER BOTTCHEER: Yeah, and, and tens of
18 thousands of people potentially trying to access the
19 site. Do you think anyone at MedRight should have
20 said "Hey, maybe this is going to be a concern?" And
21 did they know that this many people might potentially
22 be accessing the site at that precise moment?

23 FIRST DEPUTY COMMISSIONER EASTERLING: Well, I, I
24 cannot speak, uh, for any individual at MedRight.
25 What I can say is that, um, in working with, uh, the

2 vendors, uh, there were a number of different things
3 that we did, uh, to assess user experience such as
4 accessibility, user testing as well. Um, certainly,
5 we didn't explore surge testing. Um, and so, we've
6 learned from our errors. Um, we certainly want to
7 continue to improve upon and make sure that we get
8 this right, uh, for New Yorkers. And that's, I think
9 that's the focus.

10 COUNCIL MEMBER BOTTCHEER: I think, you know, I
11 want you to know that when I ask these questions,
12 it's because I represent a district where many
13 thousands of people did have a very bad experience
14 that day. And it's more than just not being able to
15 get a vaccine that day, it really erodes trust in the
16 whole system. And for many people, this is their
17 first experience interacting with the City or even
18 seeking this kind of healthcare.

19 So, I think we all acknowledge that it was a very
20 regrettable incident and we're, we're moving forward,
21 but I really want to make sure that we learn every
22 possible lesson that can be learned to make sure that
23 this never happens again. And, and based on what I've
24 heard today, I think that a lot of lessons have been
25 learned and I'm pretty confident that the Department

2 going forward, um, is going to avoid this in the
3 future.

4 Last question. On the MedRight site, and we
5 should, you should check this out for the future,
6 and, and, and maybe this has been raised to you, when
7 you're making an appointment, you select an available
8 appointment and you're entering all your info, by the
9 time you're done entering your info, that appointment
10 could be gone. That doesn't happen with Vax4NYC. It
11 doesn't happen with TicketMaster. Is TicketMaster
12 still around? Why is that, uh, the case and can that
13 be fixed for anyone who uses MedRight in the future?

14 COMMISSIONER FRASER: When it comes to the
15 capabilities of MedRight's portal and the way that
16 the technology, we will look at them in the, in the
17 areas where they provide services for the City to
18 ensure that that functionality has, has parity with
19 the other services that the people within New York
20 City, uh, currently experience. So, we will, will
21 take that back and look at any areas where we are
22 leveraging MedRight for vaccine distribution to
23 ensure parity.

24 COUNCIL MEMBER BOTTCHEER: Thank you.

25 COMMISSIONER FRASER: Yeah.

2 FIRST DEPUTY COMMISSIONER EASTERLING: And Council
3 Member, I do want to just go on the record and
4 acknowledge, uh, and I thank you for raising it. We
5 have learned from our mistakes, and we are committed
6 to doing better going forward.

7 CHAIRPERSON GUTTIÉREZ: Thank you, Council Member
8 Bottcher. Um, I wanted to, um, kind of pick up right
9 before we, uh, had Council Member Brewer ask
10 questions. Um, so there, there previous question was
11 about transition. You shared, Commissioner Fraser,
12 that within the administration, there was like a
13 transition memo shared, um, then, there was no
14 specifics about, I'm assuming that the COVID-19 vax
15 platform was included in the transition memo. Um,
16 were, were you aware of any of the, the issues that
17 MedRight, um, and/or Affiliated Physicians portals
18 had while they were working the, the COVID vaccine
19 platform?

20 COMMISSIONER FRASER: None of those specific
21 details were incorporated in the transition that I,
22 that I received.

23 CHAIRPERSON GUTTIÉREZ: Wowzers. Okay. Um. The,
24 so, this is a little bit about what Council member
25 Bottcher just asked about kind of the log in and the

2 amount of information that's required. Um, was, was
3 that a, a piece, was that something that OTI had
4 tested? Um, so, I'm assuming you knew of the fact
5 that New Yorkers had to create a log in and like the
6 amount of time that that would take.

7 COMMISSIONER FRASER: Are you referring
8 specifically to the MedRight portal?

9 CHAIRPERSON GUTTIÉREZ: Yes.

10 COMMISSIONER FRASER: No, so, the, the functional,
11 functional testing of the actual portal itself wasn't
12 something that the Office of Tech and Innovation
13 performed.

14 CHAIRPERSON GUTTIÉREZ: Say that, the last part?

15 COMMISSIONER FRASER: That's, that's not something
16 that we performed, functional testing of the portal.

17 CHAIRPERSON GUTTIÉREZ: You didn't test. Okay.

18 COMMISSIONER FRASER: No.

19 CHAIRPERSON GUTTIÉREZ: Um, it's my understanding
20 the COVID-19 vaccine website is a Salesforce product.
21 Um, can you confirm that?

22 COMMISSIONER FRASER: Salesforce is a platform,
23 um, that you can build on. Salesforce, the platform,
24 underpins a lot of, not just the City's website, but
25 a lot of, a lot of other websites. Um, Salesforce

2 themselves has not productized Vax4NYC. Vax4NYC was
3 an effort led by the City of New York done with
4 internal development teams and, and with vendor
5 resources as well.

6 CHAIRPERSON GUTTIÉREZ: Who has, um, the contract
7 for the current Monkeypox site on Vax4NYC?

8 COMMISSIONER FRASER: So, the current Monkeypox
9 site underpins, it sits on top of the existing COVID-
10 19 Vax4NYC contract. So, that contract's currently
11 held by MTX.

12 CHAIRPERSON GUTTIÉREZ: MTX. Okay.

13 COMMISSIONER FRASER: Yeah.

14 CHAIRPERSON GUTTIÉREZ: In the, in the, in the
15 face of another mass, another need for mass
16 vaccination, are we prepared for an efficient or
17 speedy solution using existing partners?

18 COMMISSIONER FRASER: Yeah, so, I, I believe if
19 you looked at our, if you look at our response to the
20 existing, um, outside partners aside, if you look at
21 our response to the existing, um, MPV demand, being
22 able to deliver that capability within two weeks, is,
23 is faster than you would get if you pulled someone in
24 from the outside to do it, even if they brought their
25 own tools with them.

2 CHAIRPERSON GUTTIÉREZ: I'm curious, um, what is,
3 what kind of recourse is available to the City when a
4 vendor, um, the example of, um, MedRight, um, when
5 they don't, when they don't, when they're not able to
6 perform in the way that the scope requires them to
7 perform? Um, I think in this instance, it seems like
8 because since both vendors were existing, it seemed
9 relatively seamless to move from vendor to another.

10 Um, but what happens in those instances. Um, I'm
11 assuming there was some portion of a budget allocated
12 for that specific scope of work that we don't know
13 what it is right now, um, but is there a legal action
14 that the City takes? Kind of what happens in that
15 instance to hold MedRight accountable, besides taking
16 them off this, uh, vaccination roll out?

17 COMMISSIONER FRASER: Right. So, as, as, uh, the
18 good Doctor just pointed, uh, previously, MedRight
19 was contracted with the City to do a number of
20 things. It's just within the scope of work with which
21 they, with which they were existing doing some other
22 stuff. Typically, within the City, it depends on the
23 contract, a contract, as I mentioned earlier, the
24 terms of the contract upon execution are the things
25 that govern performance associated with the contract.

2 So, failure to meet those terms from a contract-to-
3 contract perspective are defined within the
4 individual contract as it's executed.

5 CHAIRPERSON GUTTIÉREZ: And is there anything that
6 you can share about what that, um, what that contract
7 would look like for MedRight in this example, in the
8 Monkeypox, like, example?

9 COMMISSIONER FRASER: I would refer to my
10 colleagues at DOHMH who could provide a copy of the
11 MedRight contract and the scope of services and work
12 that they performed. But I, I think either ,neither
13 one of us at this moment can, can tell you about the
14 specific germs of that contract.

15 FIRST DEPUTY COMMISSIONER EASTERLING: That, this
16 is correct. And just, just to also add, um, you know,
17 as the Commissioner mentioned, and I said it before,
18 I mean, this was the scope of work that they were
19 doing previously. We quickly moved away, uh, from
20 MedRight. I think that's important. And also, we had
21 them issue a public apology immediately once these
22 errors were identified. But we can certainly circle
23 back and provide a little more details on the scope
24 of work, uh, that we had contracted MedRight to do.

2 CHAIRPERSON GUTTIÉREZ: I'm curious, more
3 specifically, if there was any impact on the cost of
4 their contract. And that sounds like something you
5 don't have now. But I j would really like to know
6 kind of where the tax dollars were impacted by, um,
7 the need to move, by their error. I'm totally fine
8 with a public apology. It happens.

9 Um, but I'm curious, since I know we don't have
10 the total budget right now, the total cost, um, I'm
11 curious if there was a decision, or an instance where
12 you look at kind of how the scope was created or
13 expended and kind of what the responsibility of
14 MedRight is now, um, that they, uh, publicly
15 apologized, have admitted that there was a huge
16 error, have admitted that they didn't have the
17 capacity to roll this out well.

18 FIRST DEPUTY COMMISSIONER EASTERLING: Yeah, so,
19 as you, as you mentioned, we do not have those
20 details and cannot speak to it, um, today, but we can
21 certainly circle back with you.

22 CHAIRPERSON GUTTIÉREZ: Thank you. Has the City
23 taken any steps to ensure that critical public health
24 services that require New Yorkers to register for the
25 service are done under OTI?

2 COMMISSIONER FRASER: Yeah, so, going forward, all
3 initiatives that are this size and scale will be done
4 in partnering with our agencies but under the
5 guidance of the Office of Tech and Innovation.

6 CHAIRPERSON GUTTIÉREZ: Fantastic. Um, and in
7 these instances, will OTI be doing the testing?

8 COMMISSIONER FRASER: So, yes, we will, we will
9 take part in testing. And again, depending on the
10 structure and the type of contract that's executed,
11 there may be capacity for testing built in. in those
12 cases, we'll oversee to ensure that the testing
13 aligns to our standards.

14 CHAIRPERSON GUTTIÉREZ: And will the vendor
15 contract be with that particular vendor in both
16 agencies, or the, the relevant agency under OTI's
17 supervision?

18 COMMISSIONER FRASER: So, we, we operate as one
19 City of New York, right. So, it doesn't matter if the
20 contract is under DOHMH or if it's under OTI
21 directly. Um, after Executive Order 3, from an
22 oversight perspective, as I mentioned earlier, it
23 doesn't matter whether an entity sits within an
24 agency itself, if they work in technology, they are,
25 they are a part of the Office of Tech and Innovation.

2 CHAIRPERSON GUTTIÉREZ: And that is, only applies
3 to new contracts?

4 COMMISSIONER FRASER: New contracts.

5 CHAIRPERSON GUTTIÉREZ: Okay. It will not. Right.
6 Because, so I, I mean, I think it's important that
7 you say that. It's important that it's emphasized on
8 record because for me this would be an example of
9 where OTI, um, could have played more of a role in
10 the vendor selection process, and the contract
11 process, um, but that's not what happened. So, it
12 sounds like.

13 COMMISSIONER FRASER: It's for new contracts going
14 forward.

15 CHAIRPERSON GUTTIÉREZ: Cause we learned so many
16 lessons. Okay. Um, as you testified, the Monkeypox
17 vaccination portal is under Vax4NYC. The website
18 collects valuable healthcare data from New Yorkers
19 who are trusting the government with their data.
20 Where is that data stored?

21 COMMISSIONER FRASER: The existing website?

22 CHAIRPERSON GUTTIÉREZ: Yes.

23 COMMISSIONER FRASER: Uh, so the data is currently
24 stored in the cloud.

2 CHAIRPERSON GUTTIÉREZ: In the cloud. Who is the
3 cloud provider?

4 COMMISSIONER FRASER: So, the cloud provider
5 underpinning the Salesforce platform is Amazon Web
6 Services.

7 CHAIRPERSON GUTTIÉREZ: Okay. Um, and so, they
8 are, they are the ones responsible for securing the
9 data?

10 COMMISSIONER FRASER: No.

11 CHAIRPERSON GUTTIÉREZ: Or is it Salesforce?

12 COMMISSIONER FRASER: No, so, where data lives,
13 right, in terms of how do you, who is responsible for
14 securing the data, although it sits on a platform, it
15 doesn't mean that, that the City isn't responsible
16 for safeguarding the data. Any system that we put
17 out, we as a City put out, we are responsible for
18 ensuring that it's secure and that the data lives and
19 is handled in a way that aligns with City policies.
20 So, ultimately, the City is responsible for ensuring
21 that it is secure.

22 CHAIRPERSON GUTTIÉREZ: Is the, is that the same
23 example for any data collected through the Department
24 of Education and their websites?

25 COMMISSIONER FRASER: Yes.

2 CHAIRPERSON GUTTIÉREZ: Okay. Um, so there was
3 that breach incident in March, um, through the
4 Department of Education, their, their high school,
5 uh, application process. So, what can you say about
6 ensuring security, data security, if we're using the
7 same model for the Department of Education and, and
8 any of the, the agencies, or this example?

9 COMMISSIONER FRASER: Yeah, so, I, I'd say in this
10 particular case, um, and thank you for the question.
11 Um, in this particular case when we look at what
12 happened at the Department of Education with
13 Illuminate, there was several factors that, that,
14 that had, that came into play. Uh, if there was a
15 period where we did national cloud review to look at
16 the platform as it was selected, if we had terms and
17 conditions that were aligned to the City's, the
18 City's acceptable, uh, practices in that space, these
19 are all things that we could have done to deter like
20 that.

21 But, unfortunately, this, this wasn't, this
22 wasn't the case. Once the City had become aware of
23 the, the breach, we worked very closely with the team
24 at Illuminate to, to understand scope, scale, blast
25

2 radius, and then from there, remediate the
3 conditions.

4 CHAIRPERSON GUTTIÉREZ: Thank you. Um, I want to
5 move to Housing Connect. Um, the website was down for
6 a couple of days this past month. And a few other
7 times this year. Who is responsible for this outage
8 and, and who is the vendor?

9 COMMISSIONER FRASER: So, in its current
10 instantiation, uh, who's responsible, the, the
11 operating entities for Housing Connect is the Housing
12 Preservation Department, HPD, right, and the specific
13 vendor that, that's in place, the contract is
14 currently up for, um, uh, up for renewal, and
15 although a, a vendor has been selected, that contract
16 hasn't been awarded as yet.

17 CHAIRPERSON GUTTIÉREZ: Okay.

18 COMMISSIONER FRASER: Right. So, historically, um,
19 there was a vendor that, that, that had the contract,
20 but as this one is near, uh, near award, uh, we, we
21 can follow up once the contract is actually executed
22 to let you know who owns it going forward.

23 CHAIRPERSON GUTTIÉREZ: And as far as the vendor
24 selection process, OTI will be involved?

25 COMMISSIONER FRASER: That is correct.

2 CHAIRPERSON GUTTIÉREZ: Um, and in the instance
3 where this vendor, I don't know how long their
4 contract has been for, but my understanding is that
5 the, the Housing Connect website has been down
6 numerous times, not just this year but in the past.
7 Are you looking at those instances, um, as a
8 benchmark that can count against them, even being
9 able to renew their contract with the City?

10 COMMISSIONER FRASER: Yes.

11 CHAIRPERSON GUTTIÉREZ: Thank you. Um, okay. Thank
12 you. Okay. Um, the Mayor publicly announced his plan
13 to have MyCity, the, the unified City portal, uh, by
14 late 2022. Is that still the timeline? I know that
15 Council Member Brewer asked that, the launch of it.

16 COMMISSIONER FRASER: Yeah, so the Mayor announced
17 as part of the, um, as part of the childcare and
18 early childhood education blueprint, that the first
19 aspect of MyCity would be the childcare portal, which
20 we expect in late 2022, which is still on track for
21 delivery.

22 CHAIRPERSON GUTTIÉREZ: And is there a, um, a
23 vendor selected already, or a, a short list of
24 vendors that you will be working with?

2 COMMISSIONER FRASER: So, the work is currently
3 being done or being led by internal resources,
4 meaning like the City, City staff employees are
5 building. So, at this current point, uh, when you
6 look at vendors depending on how you define that,
7 there, there could be one, there could be many, uh,
8 platforms, security. Like, there, there isn't one
9 prime vendor working on this the whole time.

10 CHAIRPERSON GUTTIÉREZ: What, um, I guess for
11 this, for this portal, for this, this one stop shop,
12 how and who will be making the decisions about what
13 is being built into the, the portal?

14 COMMISSIONER FRASER: So, it's, it's done as a
15 committee. So, those that have the business ownership
16 responsibility and those that have the technical
17 ownership responsibility, uh, meet jointly to talk
18 about the direction that it's taking, looking at the
19 service and design approach, but more importantly,
20 who we have at the table are the people of the City.
21 So, we bring in focus groups of people so they can
22 look at the platform as we build to ensure that it
23 aligns with their expectations.

24 CHAIRPERSON GUTTIÉREZ: Yeah.

2 COMMISSIONER FRASER: Last thing you want to do,
3 is build something, and then someone goes, "How, who
4 is, how is it supposed to work?"

5 CHAIRPERSON GUTTIÉREZ: No, absolutely, I mean,
6 that's a really important distinction to make about
7 how you plan on moving this portal, um, forward and
8 making sure that it's doing what it's supposed to do,
9 um, just because of kind of the history that the City
10 has had with their tech vendors.

11 And so, I'm curious to dig in at some point a
12 little bit more about kind of what the feedback is
13 that you're getting from folks, um, who are, you
14 know, the, the members of the skilled industry that
15 are going to be able to weigh in on how the portal
16 functions, how it looks. Um, I'd love, is that
17 something that is happening now before the vendor is
18 even selected?

19 COMMISSIONER FRASER: So, this, that, so, yes,
20 it's happening now, and long term, we're not certain
21 whether we would need a, a, a vendor to carry this
22 forward or not. So, it's currently being done with
23 City resources. And then, as we get past this first
24 stage, we'll make a determination on, on how we'll
25 press forward beyond that.

2 CHAIRPERSON GUTTIÉREZ: I'm curious, kind of in
3 the scenario where something is, uh, where the, the
4 MyCity platform is compromised. We don't want that.
5 We feel like, you know, we know enough now to kind of
6 prevent all these worst-case scenarios. Um, but would
7 the, would something happening to the MyCity app have
8 an impact on any of the other agencies? Cause you
9 know this is going to be a really robust platform
10 that's going to be able to, my understanding is to
11 bring in a lot of the resources that exist and that
12 live in other agencies' websites. Does a worst-case
13 scenario for the MyCity app have any impact for the
14 way the other, uh, websites or apps operate?

15 COMMISSIONER FRASER: Yeah, so, if, if, um, that's
16 a, that's a complicated question. But I'll, I'll
17 answer that in a couple of ways. Uh, the first is,
18 when we architect systems and we build them, we build
19 them to ensure that when something breaks, it doesn't
20 disrupt anything else within the ecosystem, right.
21 It's, it's the, it's the concept of building an, an,
22 an application or service that's containerized to a,
23 to itself. So, if something breaks, whether that's
24 someone gets into that system, or something

2 mechanically goes wrong with that system, it doesn't,
3 it doesn't ripple to other systems.

4 Now, when we look in the recent past and we look
5 at something like, um, SolarWinds, which was a breach
6 that occurred in 2020, 20, yeah, 2020. Um, SolarWinds
7 was a network monitoring tool that was used by 90% of
8 Fortune 500s. It was used by the federal government.
9 It was use by the City and a number of other places.
10 It was discovered that SolarWinds had been comprised
11 by an internal actor, and then there was malicious
12 code embedded into the program. And in that breach,
13 what we found, what we later found was that by
14 breaching that one product, um, nation states were
15 able to infiltrate almost every level of the federal
16 government, right.

17 CHAIRPERSON GUTTIÉREZ: Yeah.

18 COMMISSIONER FRASER: Including our intelligence
19 agencies. So, you can't, we can't say universally
20 that there isn't a component or part of a system that
21 can't be compromised, we just, we just work
22 diligently to cover all of our bases for all the
23 things that we know to be vulnerabilities and put
24 compensating controls in place, so that if something
25 happens, it limits the blast radius.

2 CHAIRPERSON GUTTIÉREZ: Can you, um, I appreciate
3 the, the, the comment you made about obviously
4 wanting to, to make sure that the MyCity portal
5 works, right. That is does what it's supposed to do.
6 That it looks good. That people who are using it,
7 people who need it the most understand how to utilize
8 it. Can you talk a little bit more about, um, the,
9 the team that you're bringing together, um, of
10 potentially like non-technical workers to be able to
11 get feedback from them?

12 Um, I'm curious, you know, there's a lot of
13 lessons learned. Um, I'm familiar with the AccessHRA.
14 It's something that my mom, I use it for my mother.
15 It, it, you know, I'm curious to, to see if, um,
16 there is, um, a cohort of regular New Yorkers that
17 you're bringing to the table, folks that are actually
18 going to, to depend on this portal to really ask them
19 about design concepts and kind of what that user
20 experience could look like?

21 COMMISSIONER FRASER: So, the typical approach is
22 working with the agencies that perform the business
23 function, so looking at going to the centers where
24 they actually perform it, asking people that are
25 applying for the service if they'd be willing to

2 spend some time to take a look at what we're
3 building. And that's how we, we, we tend to recruit
4 our talent to test, or at least, it's, it's actual
5 consumers of the services that we're delivering.

6 CHAIRPERSON GUTTIÉREZ: Fantastic. And, uh, they
7 are brought to the table pretty frequently?

8 COMMISSIONER FRASER: Yeah, so, it's when there is
9 functionality that's new, that, that we need to test,
10 we reach out to those groups of people to see if
11 they're interested in testing it. And they, they are,
12 they are a pretty good sounding board because they,
13 they have either had an experience with the system or
14 service for as they've applied or, um, they're in the
15 process of going through an application. So, they can
16 look at what's coming versus they experienced and
17 give us feedback.

18 CHAIRPERSON GUTTIÉREZ: So, they will be, um,
19 asked to participate when there's new
20 functionalities. Right now, they are not being asked?

21 COMMISSIONER FRASER: Yeah, so as we.

22 CHAIRPERSON GUTTIÉREZ: They are.

23 COMMISSIONER FRASER: As of right now, we opened
24 our first group. Uh, so they could take a look at the
25 experience, and we got feedback and we've adjusted

2 course based on that. And in waves, as new
3 functionality is delivered, we, we try to minimize
4 the amount of time we take from people. So, we will
5 continue to engage the community as we, as we
6 continue to build.

7 CHAIRPERSON GUTTIÉREZ: Can I, um, where will the
8 data be stored and secured that, that the portal is
9 collecting from, from users?

10 COMMISSIONER FRASER: So, it, it will be in a
11 number of places. Um, as it currently sits, a lot of
12 it will be in the City's, in the City's core
13 infrastructure. We have centralized data repositories
14 where we pull information in to apply context. That's
15 owned and operated by the City. And then we have
16 tertiary platforms that are consumers of the data
17 that we bring in. So, it could live in places like,
18 uh, AWS and Salesforce where some of our other data
19 lives today.

20 CHAIRPERSON GUTTIÉREZ: And some kind of long term
21 for the MyCity portal. Um, what is the plan to have
22 the site and the, the site and the app evolve? Um,
23 like what, how often do you think OTI will kind of be
24 looking at this site, um, and seeing what is working,
25 what's not working, um, services might need to, to

2 change, might need to be amended. How often, or how
3 relevant do you think it, it is to kind of have this
4 website evolve, um, and how often are you, right now,
5 projecting that that needs to happen?

6 COMMISSIONER FRASER: So, as we're in our infancy
7 phase, we are trying to build dexterity and try to
8 establish a cadence that makes sense. The key is to
9 look at your processes often enough where you can
10 make effective change but not look at them too often
11 so you're always fixing something.

12 Uh, as it currently stands, uh, as part of the
13 childcare effort, we're not only using it as an
14 opportunity to provide simple access, but we're also
15 working with the agencies that are administering the
16 services in the backend to help look at how they
17 administer those services. So, use it as an
18 opportunity to remove friction not only from the end
19 user experience, but from the business process.

20 As we touch each service, we're going to, we're
21 going to seek to do that. And we already have models
22 in place where we do similar things like 311. When
23 that agency service changed, there's points of
24 contacts that are established between 311 and the
25 agency that's responsible for the service so they can

2 communicate those, so, 311 can adjust their
3 procedures. The same level of maturity and process
4 that we have in place for our customer service
5 operation, we want to employ for our application
6 development operations.

7 CHAIRPERSON GUTTIÉREZ: Thank you. Um, I do have a
8 question that I want to ask on behalf of my
9 colleague, Council Member Holden, um, who, for quorum
10 reasons can't ask the question himself, um, and it's
11 regarding the Park Mobile app. Um, so last year,
12 there was, uh, the crash and the, the data breach
13 that compromised about 21 million users, uh, Personal
14 information, and emails, addresses, phone numbers,
15 license plate numbers, um, were included in that
16 breach. Although that was last year, Commissioner,
17 this year, what are some of the steps that OTI has
18 taken to increase security and mitigate any of those
19 impacts? And, uh, does the OT still work with Park
20 Mobile?

21 COMMISSIONER FRASER: Yeah, so, Park, Park Mobile
22 is still an existing vendor of the City. And although
23 a breach took place, um, if you look at most major
24 corporations, there's been a breach of some kind.
25 Target had a breach. Sony had a breach. No one's

2 giving up their PlayStations, right? So, I think for
3 us as a City, it's using these, these experiences and
4 walking away a little bit smarter from that and
5 looking at how we engage with outside parties for
6 critical services.

7 So, doing cyber reviews, looking at the platforms
8 that we're bringing in, doing security architecture
9 reviews, making sure that our riders are established,
10 so that defined terms and penalties for the ways that
11 when a breach occurs how you deal with that. From a
12 privacy perspective, making sure that when there's a
13 breach, everyone is transparent and we get that
14 information as quickly as possible so that we can let
15 those that provide that information know, um, what
16 we're doing about it. Um, those are some of the
17 things that we're doing, but the key is, um, you ever
18 hear of the phrase measure twice, cut once, right?
19 So, for us.

20 CHAIRPERSON GUTTIÉREZ: Yeah, of course.

21 COMMISSIONER FRASER: Yeah, exactly. So, from a
22 security perspective, it's like assess twice, deploy
23 once, right. So, we want to ensure that we not only
24 look at tech as it comes through the contract phase
25 but as we build, we also ensure that that tech is

2 secure. So, in situations like this where we have a
3 third-party providers that's providing a critical
4 service, being able to audit their capabilities,
5 being able to look at their security architecture to
6 ensure that it's the best thing for the City, are
7 some of the things that we've done to ensure that we
8 don't trip across this again.

9 CHAIRPERSON GUTTIÉREZ: Thank you, Commissioner
10 Fraser, and thank you, Doctor Easterling. Um, I
11 think, I think we did it. I think those are all my
12 questions. I think there are some follow ups. I know
13 that, um, we can expect some of the, the answers, um,
14 or some of the, the more detailed responses through
15 the Committee. But I want to thank you both, um, and
16 your teams for being responsive.

17 Um, and I think the goal of today's hearing was
18 not just to get everything on record that we've kind
19 of already heard about the, the Monkeypox vaccine
20 roll out, is we want to make sure that this new
21 Office, and we want to support you, Commissioner, we
22 want to make sure that it's not just meeting the
23 expectations of what New Yorkers experience with the
24 City is digitally or technologically. Um, but we want

2 to make sure that we are exceeding those
3 expectations.

4 And so, my questions regarding the, the MyCity
5 portal, I would love for a lot of these lessons that
6 we've learned in the past to be included, um, even
7 from the City's monitor of the, the new vendor
8 license application system, like, whenever that goes
9 live, making sure that we're using the lessons
10 learned, um, with vendors to make sure that that's
11 not happening.

12 We're in 2022. We're in the richest City in the
13 world, um, we should be kind of taking all of these
14 experiences, um, in a very serious way. And all of
15 these, um, all of these crashes and all of these
16 mistakes that are being made, we should take these
17 very seriously because we, there's no reason why we
18 shouldn't be the model for how OTI operates and how
19 everything falls under OTI.

20 So, thank you so much for, for participating, um,
21 and for your transparency and we look forward to
22 continuing the conversation.

23 COMMISSIONER FRASER: Thank you. Thank you very
24 much. We'd like to thank Council very much for, for
25 bringing this out. Uh, I'd like to say just two

2 things as we close. One, as Council member Brewer
3 said, uh, she's a little bit skeptical about how this
4 stuff works out.

5 CHAIRPERSON GUTTIÉREZ: That's the OG, uh, tech
6 Chair, so, yes.

7 COMMISSIONER FRASER: Yeah, yeah, she's skeptical,
8 right. Uh, but you know what they say about faith,
9 right. Faith is, you know, the substance of things
10 hoped for.

11 CHAIRPERSON GUTTIÉREZ: Commissioner Fraser, no
12 one lays on an idiom like you, boy. Thank you.

13 COMMISSIONER FRASER: Yeah.

14 CHAIRPERSON GUTTIÉREZ: Yes.

15 COMMISSIONER FRASER: So, it just takes a little
16 faith, right. And I'd say the Mayor has already done
17 a number of things to show that he's not like any
18 mayor the City has ever seen. And just stand by. I'm
19 not like any CTO the City's ever seen.

20 CHAIRPERSON GUTTIÉREZ: I mean, you're the first
21 one, so that is true.

22 COMMISSIONER FRASER: Yeah.

23 CHAIRPERSON GUTTIÉREZ: Yeah. No, absolutely,
24 absolutely. Thank you so much. Doctor Easterling,
25 anything else?

2 FIRST DEPUTY COMMISSIONER EASTERLING: I just
3 wanted to say thank you.

4 CHAIRPERSON GUTTIÉREZ: No, thank.

5 FIRST DEPUTY COMMISSIONER EASTERLING: No idioms,
6 sorry.

7 CHAIRPERSON GUTTIÉREZ: Thank you for taking, uh,
8 the time off, both of, for both of you, your busy
9 schedules to be here. I appreciate it. Bye.

10 COMMISSIONER FRASER: Bye. Thank you.

11 CHAIRPERSON GUTTIÉREZ: Now, we move on to public
12 testimony. Thank you, Irene.

13 COMMITTEE COUNSEL BYHOVSKY: Sure, Chair. And our
14 next panelist will be Clayton Banks.

15 SERGEANT AT ARMS 2: Starting time.

16 COMMITTEE COUNSEL BYHOVSKY: Okay. I see that
17 Clayton Banks is not ready to testify. We're going to
18 move to our next panelist. And our next panelist is
19 Krista Reilly.

20 SERGEANT AT ARMS 2: Starting time.

21 MS. REILLY: Hi. Uh, my name is Krista. I, um,
22 work for Churches United for Fair Housing. So, I meet
23 with a lot of people, and we try to navigate the
24 Housing Connect, uh, website. And throughout the
25 month of July, it has just been really, um, hard to

2 sue. It's either down, it's been either down or the
3 text verifications to register an account, would just
4 not, none of the texts have come through. So, um,
5 yeah, it, it was just very, very difficult to try to
6 navigate. Um, and it was for the majority of July.
7 Um, the last week it's been a little bit better, but
8 still pretty slow and very frustrating to use.

9 CHAIRPERSON GUTTIÉREZ: Krista, thank you so much.
10 Um, if I can just ask, so a question about specifics.
11 Can you detail what is the, the challenge that that
12 creates for you and CUFFH? Um, and what are you met
13 with when you log on to the Housing Connect site? And
14 in your words, it doesn't work. What, what is
15 happening?

16 MS. REILLY: Um, so, it, it kind of really, um,
17 can be a little crippling sometimes just because we
18 do try to encourage a lot, uh, of New Yorkers to sign
19 up for the housing lottery just because, um, there
20 really isn't enough affordable housing.

21 So, that, that usually is a way for us to kind
22 of, you know, encourage, um, people to get on and,
23 you know, set up their accounts, teach them how to
24 use it. Um, and then essentially, it, it would just
25 either, we would get like this screen that said try

2 again later or we would just get like a little blue
3 kind of alert at the top of the website saying like,
4 "Please use another email." But a lot of times the
5 people that we are with, they only, you know, have
6 the one email that they have access to.

7 CHAIRPERSON GUTTIÉREZ: Yeah. Krista, thank you so
8 much for, for sharing that. And we'll make sure, uh,
9 to get that to the OTI Commissioner's, um, team as
10 well. Thank you.

11 MS. REILLY: Thank you.

12 COMMITTEE COUNSEL BYHOVSKY: Thank you for your
13 testimony. And I'm going to circle back to Clayton
14 Banks.

15 SERGEANT AT ARMS 2: Starting time.

16 CHIEF EXECUTIVE OFFICER BANKS: Thank you very
17 much. Um, very much appreciate the entire day already
18 and, uh, I just wanted to share a quick, uh, several
19 comments. Uh, and I want to acknowledge the Members
20 of the City Council Committee on Technology. Uh,
21 great work that's happening as a result.

22 My name is Clayton Banks. I'm the CEO of Silicon
23 Harlem. And, uh, actually this is a great opportunity
24 to share my concerns and many New Yorkers' that want
25 to understand, you know, just exactly how, um, we are

2 addressing critical technology but specifically
3 challenges both current and future technologies,
4 right. So, advanced communications and information
5 service technologies are transforming every aspect of
6 our lives.

7 I recently hosted a group of teenagers where we
8 talked about the technological challenges in future,
9 and the group identified some really cool concerns.
10 Ones that you've heard before, but these young people
11 said that they wanted to make sure it gets addressed
12 from the perspective of climate change, um, the virus
13 itself, uh, rent decrease, the City, uh, cleaning
14 itself up, and transit system improvement.

15 My point is that clearly this is an opportunity
16 for the City's technological responses to address
17 quality of life issues, can improve by tech enabled
18 technology driven by civics. We're hearing about the
19 portal that's being, uh, created and we don't want to
20 repeat the same thing we had in the past where it
21 creates divides. So, we need to start thinking about,
22 in my opinion, that we build equity into our
23 technology platforms and collectively provide
24 solutions towards our City issues.

2 Uh, the, the, this requires in a lot of ways that
3 New Yorkers create the standards. We don't need
4 anyone else to create the standards for technology.
5 Uh, our public roadmap, uh, should actually encourage
6 tech platforms like the Metaverse that will
7 obviously, uh, come fast and furious but we need to
8 understand the ethical, safe, and exclusivity that
9 comes with that. All technology guidelines must
10 provide oversight on things like data privacy,
11 security, ethics, physical safety, uh, and
12 sustainability and equity. (INAUDIBLE).

13 All of this requires everyone to have robust
14 connectivity in the home. We're talking about moving
15 all of our civics online. If you do not have
16 connectivity, you are basically not a citizen. That
17 has to be addressed before we do anything. Every
18 single home must have the internet.

19 The next web, we, we're talking a lot about the
20 current web, but if you start really thinking about,
21 this Council has to start thinking about the next web
22 being defined by the Metaverse which looks at
23 physical and digital combinations.

24 SERGEANT AT ARMS 2: Time expired.

2 CHIEF EXECUTIVE OFFICER BANKS: To move them
3 forward. I will finally say thank you for allowing me
4 to share this. There is much more I would love to
5 talk about the Metaverse with this Committee so that
6 we are prepared for all of our citizens to be, uh,
7 part of the future. Thank you very much.

8 CHAIRPERSON GUTTIÉREZ: Thank you, Mister, uh,
9 Banks, we look forward to working with you at the
10 next couple of hearings and conversations. Um, and
11 with that we have no other testimony, so we will
12 conclude today's hearing. Thank you so much to the
13 entire team.

14 [GAVEL]

15 Adios, everybody.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date August 24, 2022